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TREATY OF PEACE BETWEEN THE UNITED STATES AND AUSTRIA¹

Signed at Vienna, August 24, 1921

THE UNITED STATES OF AMERICA AND AUSTRIA :

Considering that the United States, acting in conjunction with its co-belligerents entered into an Armistice with Austria-Hungary on November 3d, 1918, in order that a Treaty of Peace might be concluded;

Considering that the former Austro-Hungarian Monarchy ceased to exist and was replaced in Austria by a Republican Government;

Considering that the Treaty of St. Germain-en-Laye to which Austria is a party was signed on September 10th, 1919, and came into force according to the terms of its Article 381, but has not been ratified by the United States;

Considering that the Congress of the United States passed a Joint Resolution approved by the President July 2d, 1921, which reads in part as follows;

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

“That the state of war declared to exist between the Imperial and Royal Austro-Hungarian Government and the United States of America by the joint resolution of Congress approved December 7th, 1917, is hereby declared at an end.

“Sec. 4. That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations or advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 3d, 1918, or any extension or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the Treaty of St. Germain-en-Laye or the Treaty of Trianon, have been stipulated for its or their benefit; or to which it is

¹ U. S. Treaty Series, No. 659.

entitled as one of the principal Allied and Associated Powers; or to which it is entitled by virtue of any Act or Acts of Congress; or otherwise.

"Sec. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals which was on April 6th, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property, of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7th, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments respectively. All persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government or its agents, or the Imperial and Royal Austro-Hungarian Government or its agents since July 31st, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American, or other corporations, or in consequence of hostilities or of any operations of war, or otherwise and also shall have granted to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights and until the Imperial German Government and the Imperial and Royal Austro-Hungarian Government or its successor or successors shall have respectively confirmed to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Imperial German Government or German nationals or the Imperial and Royal Austro-Hungarian Government or Austro-Hungarian nationals, and shall have waived any and all pecuniary claims against the United States of America."

Being desirous of establishing securely friendly relations between the two Nations;

Have for that purpose appointed their plenipotentiaries;

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

ARTHUR HUGH FRAZIER

and
THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA:
JOHANN SCHOBER;

Who, having communicated their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I.

Austria undertakes to accord to the United States and the United States shall have and enjoy all the rights, privileges, indemnities, reparations or advantages specified in the aforesaid Joint Resolution of the Congress of the United States of July 2d, 1921, including all the rights and advantages stipulated for the benefit of the United States in the Treaty of St. Germain-en-Laye. The United States shall fully enjoy notwithstanding the fact that the Treaty has not been ratified by the United States. The United States in availing itself of the rights and advantages stipulated in the provisions of that Treaty, will do so in a manner consistent with the rights accorded to Austria under such provisions.

ARTICLE II.

With a view to defining more particularly the obligations of Austria under the foregoing Article with respect to certain provisions in the Treaty of St. Germain-en-Laye, it is understood and agreed between the High Contracting Parties:

(1) That the rights and advantages stipulated in that Treaty for the benefit of the United States which it is intended the United States shall have and enjoy, are those defined in Parts V, VI, VIII, IX, X, XI, XII and XIV.

(2) That the United States shall not be bound by the provisions of Part I of that Treaty nor by any provisions of that Treaty including those mentioned in paragraph (1) of this Article which relate to the Covenant of the League of Nations, nor shall the United States be bound by any action taken by the League of Nations, or by the Council or by the Assembly thereof, unless the United States shall expressly give its assent to such action.

(3) That the United States assumes no obligations under or with respect to the provisions of Part II, Part III, Part IV and Part XIII of that Treaty.

(4) That, while the United States is privileged to participate in the Reparation Commission, according to the terms of Part VIII of that Treaty and in any other commission established under the Treaty or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so.

(5) That the periods of time to which reference is made in Article 38¹ of the Treaty of St. Germain-en-Laye shall run, with respect to any act or election on the part of the United States, from the date of the coming into force of the present Treaty.

ARTICLE III.

The present Treaty shall be ratified in accordance with the constitutional forms of the High Contracting Parties and shall take effect immediately on the exchange of ratifications which shall take place as soon as possible at Vienna.

In witness whereof, the respective plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate in Vienna, this twenty-fourth day of August 1921.

[SEAL] ARTHUR HUGH FRAZIER

[SEAL] SCHOBER

CHINA CONSORTIUM AGREEMENT¹

October 15, 1920

AN AGREEMENT made the fifteenth day of October, 1920, between

THE HONGKONG AND SHANGHAI BANKING CORPORATION, having its office at 9 Gracechurch Street in the City of London (hereinafter called "the Hongkong Bank") of the first part

THE BANQUE DE L'INDO CHINE having its office at 15bis Rue Laffitte Paris (hereinafter called "the French Bank") of the second part

THE YOKOHAMA SPECIE BANK LIMITED having its office at Yokohama in Japan (hereinafter called "the Japanese Bank") of the third part and

MESSRS. J. P. MORGAN & Co., MESSRS. Kuhn, Loeb & Co., THE NATIONAL CITY BANK OF NEW YORK, CHASE NATIONAL BANK, NEW YORK, THE GUARANTY TRUST COMPANY OF NEW YORK, MESSRS. LEE, HIGGINSON & Co. OF BOSTON and the CONTINENTAL AND COMMERCIAL TRUST AND SAVINGS BANK OF CHICAGO (hereinafter called "the American Managers") acting as to the United Kingdom by Messrs. Morgan, Grenfell & Co., of 22 Old Broad Street in the City of London and as to France by Messrs. Morgan Harjes & Co. of Paris of the fourth part

Whereas the Hongkong Bank the French Bank the Japanese Bank and the American Managers are acting for the purposes of this agreement as the representatives of the British, French, Japanese and American Groups respectively

¹See the article in this JOURNAL, p. 25, summarizing the official correspondence which explains and qualifies the object and scope of the agreement.

And Whereas the British, French, Japanese and American Groups were formed with the object of negotiating and carrying out Chinese loan business:

And Whereas their respective Governments have undertaken to give their complete support to their respective national groups the parties hereto in all operations undertaken pursuant to the agreement hereinafter contained and have further undertaken that in the event of competition in the obtaining of any specific loan contract the collective support of the diplomatic representatives in Peking of the four Governments will be assured to the parties hereto for the purpose of obtaining such contract

And Whereas the said national groups are of the opinion that the interests of the Chinese people can in existing circumstances best be served by the cooperative action of the various banking groups representing the investment interests of their respective countries in procuring for the Chinese Government the capital necessary for a programme of economic reconstruction and improved communications

And Whereas with these objects in view the respective national groups are prepared to participate on equal terms in such undertakings as may be calculated to assist China in the establishment of her great public utilities and to these ends to welcome the cooperation of Chinese capital

Now It Is Hereby Agreed by and between the parties hereto as follows:

1. Each Group reserves to itself the right of increasing or reducing the number of its own members but so that any member of a group dropping out shall remain bound by the restrictive provisions hereof and any member of a group coming in shall become subject to the restrictive provisions hereof and so that no group shall (without the consent of the others) be entitled to admit into its group a new member who is not of its nationality and domiciled in its market. The admission of any new group shall be determined by the parties hereto subject to the approval of their respective Governments.

2. This Agreement relates to existing and future loan agreements which involve the issue for subscription by the public of loans to the Chinese Government or to Chinese Government Departments or to Provinces of China or to companies or corporations owned or controlled by or on behalf of the Chinese Government or any Chinese Provincial Government or to any party if the transaction in question is guaranteed by the Chinese Government or Chinese Provincial Government but does not relate to agreements for loans to be floated in China. Existing agreements relating to industrial undertakings upon which it can be shown that substantial progress has been made may be omitted from the scope of this Agreement.

3. The existing Agreements and any future loan agreements to which this Agreement relates and any business arising out of such agreements respectively shall be dealt with by the said groups in accordance with the provisions of this Agreement.

4. This Agreement is made on the principle of complete equality in every respect between the parties hereto and each of the parties hereto shall take an equal share in all operations and sign all contracts and shall bear an equal share of all charges in connection with any business (except stamp duties and any charges of and in connection with the realization by the parties hereto in their respective markets of their shares in the operations) and the parties hereto shall conclude all contracts with equal rights and obligations as between themselves and each party shall have the same rights, privileges, prerogatives, advantages, responsibilities and obligations of every sort and kind. Accordingly preliminary advances on account of or in connection with business to which this Agreement relates shall be borne by each of the parties hereto in equal shares and each of the parties hereto shall be entitled to participate equally in the existing Agreements and will offer to the other parties hereto an equal participation with itself in any future loan business falling within the scope of this Agreement. Should one or more of the parties hereto decline a participation in the existing Agreements or any of them or in any such future loan business as aforesaid the party or parties accepting a participation therein shall be free to undertake the same but shall issue on its or their markets only.

5. All Contracts shall so far as possible be made so as not to impose joint liability on the parties hereto but each of the parties hereto shall severally liquidate its own engagements or liabilities. The parties hereto will so far as possible come to an understanding with regard to the realization of the operations but so that such realization in whatever manner this may take place shall be for the separate benefit of each of the parties hereto as regards their respective participations therein and so that each of the parties hereto shall be entitled to realize its participation in the operations only in its own market it being understood that the issues in the respective markets are to be made at substantial parity.

6. Any one or more of the parties hereto who shall have accepted its or their participation in any business hereunder shall be entitled by notice in writing to call upon the other or others of the parties hereto who propose to issue their own respective participations to issue for the account of the party or parties giving such notice or notices either all or one-half of the amount which may constitute the participation of the party or parties giving such notice or notices and the party or parties so called upon shall issue the said amount or amounts (hereinafter called "the Residuary Participation") specified in such notice or notices upon and subject to the terms and conditions following, viz:

- (1) Such notice or notices must be received by the other or others of the parties hereto before the execution of the final Agreement for the issue of the loan or (in the case of an issue of a part

only of the loan) of so much thereof as the parties hereto may from time to time agree to issue.

- (2) The party or parties to whom such notice or notices shall have been given shall be entitled to decide among themselves and without reference to the party or parties giving such notice or notices as to which one or more of them shall issue the Residuary Participation but in default of any such decision they shall issue the same equally between them.
- (3) In issuing the Residuary Participation no distinction shall be made between the Residuary Participation and the amount or amounts issued on its or their own account by the party or parties issuing the Residuary Participation which shall in all respects be subject to the conditions of the respective Syndicates which may be formed for the purpose of effecting the issue.
- (4) Each of the parties issuing the Residuary Participation shall be entitled to decide for itself and without reference to the party or parties giving such notice or notices as to what expenses shall be incurred in relation to the issue of the total amount issued by such party.
- (5) The party or parties issuing the Residuary Participation shall be entitled between them to charge the party or parties giving such notice or notices with a commission of not exceeding $1\frac{1}{2}$ per cent. on the nominal amount of the Residuary Participation and also with a pro rata share of the total expenses which the issuing party or parties may in their sole discretion incur in relation to the whole issue and being in the proportion which the Residuary Participation bears to the total nominal amount of the issue.
- (6) The party or parties issuing the Residuary Participation shall not by virtue of this Agreement incur any responsibility to subscribe for the Residuary Participation or to cause the same to be subscribed.
- (7) Each party issuing the Residuary Participation shall apply all subscriptions received by it pro rata between the Residuary Participation issued by it and the amount issued by such party on its own account.
- (8) Each of the parties issuing the Residuary Participation will apply for and use its best endeavours to obtain a quotation on its market for the total amount issued by it.
- (9) No issue of the Residuary Participation or any part thereof shall be made by the party or parties giving such notice or notices unless mutually agreed by the parties hereto.

7. No participation shall be given by any one of the parties hereto outside its own market. Any participation given in its own market by any

one of the parties hereto shall be for its own account only or in the event of the issue including any of the Residuary Participation for the accounts pro rata of the issuing Bank and the party or parties giving such notice or notices as aforesaid and in giving any such participation the party giving the same shall use its best endeavours to secure that no part of such participation shall be transferred to parties outside the market of the party giving the same. Any other participation shall be given only with the consent of all parties hereto and shall be borne in equal shares by the parties hereto.

8. This Agreement shall remain in force for the period of five years from the date hereof provided nevertheless that a majority of the parties hereto may by twelve months' previous notice in writing addressed to the other parties hereto determine this Agreement at any time.

In Witness whereof the duly authorized representatives of the respective parties hereto have set their hands the day and year first above written.

For the Hongkong and Shanghai Banking Corporation

On behalf of the British Group:

C. S. ADDIS.

For the Banque de L'Indo Chine

On behalf of the French Group:

TH. DE LA CHAUME.

For the Yokohama Specie Bank, Ltd.

On behalf of the Japanese Group:

K. TAKEUCHI.

For and on behalf of the American Group:

J. P. MORGAN & Co.

KUHN, LOEB & Co.

THE NATIONAL CITY BANK OF NEW YORK

By J. A. STILLMAN,

President.

THE GUARANTY TRUST COMPANY OF NEW YORK,

By J. R. SWAN,

Vice President.

CONTINENTAL AND COMMERCIAL TRUST AND SAVINGS.

BANK OF CHICAGO

By JOHN J. ABBOTT,

Vice President.

CHASE NATIONAL BANK, NEW YORK CITY,

By A. H. WIGGIN,

Chairman.

LEE, HIGGINSON & Co.

TREATY OF COMMERCE BETWEEN THE UNITED STATES AND ETHIOPIA.¹

Signed at Addis-Ababa, June 27, 1914

His Royal Highness, Prince Lídj Yassou, Successor of Menelik II, King of Kings of Ethiopia and the United States of America, having agreed to regulate the commercial relations between the two countries and develop them, and render them more and more advantageous to the two contracting Powers;

• His Royal Highness, Prince Lidj Yassou, in the name of the Empire, and John Q. Wood, in the name of the United States of America, have agreed and stipulated that which follows:

ARTICLE I.

The citizens of the two Powers, like the citizens of other countries, shall be able freely to travel and to transact business throughout the extent of the territories of the two contracting Powers.

ARTICLE II.

In order to facilitate commercial relations, the two Governments shall assure, throughout the extent of their respective territories, the security of those engaged in business therein, and of their property.

ARTICLE III.

The two contracting Governments shall reciprocally grant to all citizens of the United States of America and to the citizens of Ethiopia, all the advantages which they shall accord to the most favored Power in respect to customs duties, imposts and jurisdiction.

ARTICLE IV.

Throughout the extent of the Ethiopian Empire, the citizens of the United States of America shall have the use of the telegraphs, posts and all other means of transportation upon the same terms as the citizens of Ethiopia or of the most favored foreign Power.

ARTICLE V.

In order to perpetuate and strengthen the friendly relations which exist between Ethiopia and the United States of America, the two Governments agree to receive reciprocally, representatives acceptable to the two Governments; diplomatic representatives appointed by either Government who are not acceptable to the Government to which they are accredited shall be replaced.

¹U. S. Treaty Series, No. 647.

ARTICLE VI.

This treaty shall continue in force for a period of four years after the date of its ratification by the Government of the United States. If neither of the contracting parties, one year before the expiration of that period, notifies officially its determination to terminate the treaty, it shall remain in force for a further period of ten years; and so on thereafter unless notice is given officially by one of the contracting Powers, one year before the expiration of said period, of its intention to terminate said treaty.

ARTICLE VII.

The present treaty shall take effect if ratified by the Government of the United States, and if this ratification shall be notified to His Royal Highness, Prince Lidj Yassou, successor of Menelik II, King of Kings of Ethiopia, within the period of six months.

His Royal Highness, Prince Lidj Yassou, in the name of his Empire, and John Q. Wood in virtue of his full powers, in the name of the United States of America, have signed the present treaty, written in double text, Amharic and English and in identical terms.

Done at Addis-Abeba, this twenty-seventh day of June, one thousand nine hundred and fourteen, in the year of Our Lord.

JOHN Q. WOOD

[*Seal of Prince Lidj Yassou*]

TREATY OF PEACE BETWEEN THE UNITED STATES AND GERMANY¹

Signed at Berlin, August 25, 1921

THE UNITED STATES OF AMERICA AND GERMANY:

Considering that the United States, acting in conjunction with its co-belligerents, entered into an Armistice with Germany on November 11, 1918, in order that a Treaty of Peace might be concluded;

Considering that the Treaty of Versailles was signed on June 28, 1919, and came into force according to the terms of its Article 440, but has not been ratified by the United States;

Considering that the Congress of the United States passed a Joint Resolution, approved by the President July 2, 1921, which reads in part as follows:

“RESOLVED by the Senate and House of Representatives of the United States of America in Congress assembled, That the state of war declared to exist between the Imperial German Government and the United States of America by the Joint resolution of Congress approved April 6, 1917, is hereby declared at an end.

¹ U. S. Treaty Series, No. 658.

"Sec. 2. That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations, or advantages; together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the treaty of Versailles, have been stipulated for its or their benefit; or to which it is entitled as one of the principal allied and associated powers; or to which it is entitled by virtue of any Act or Acts of Congress, or otherwise.

"Sec. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals, which was on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments respectively, of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government, or its agents, or the Imperial and Royal Austro-Hungarian Government, or its agents, since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American, or other corporations, or in consequence of hostilities or of any operation of war, or otherwise, and also shall have granted to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce and industrial property rights, and until the Imperial German Government, and the Imperial and Austro-Hungarian Government, or their successor or successors, shall have respectively confirmed to the United States of America all fines, forfeitures,

penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Imperial German Government or German nationals or the Imperial and Royal Austro-Hungarian Government or Austro-Hungarian nationals, and shall have waived any and all pecuniary claims against the United States of America."

Being desirous of restoring the friendly relations existing between the two Nations prior to the outbreak of war:

Have for that purpose appointed their plenipotentiaries:

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

ELLIS LORING DRESEL, Commissioner of the United States of America,
to Germany;

and

THE PRESIDENT OF THE GERMAN EMPIRE:

DR. FRIEDERICH ROSEN, Minister for Foreign Affairs;

Who, having communicated their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I.

Germany undertakes to accord to the United States, and the United States shall have and enjoy, all the rights, privileges, indemnities, reparations or advantages specified in the aforesaid Joint Resolution of the Congress of the United States of July 2, 1921, including all the rights and advantages stipulated for the benefit of the United States in the Treaty of Versailles which the United States shall fully enjoy notwithstanding the fact that such Treaty has not been ratified by the United States.

ARTICLE II.

With a view to defining more particularly the obligations of Germany under the foregoing Article with respect to certain provisions in the Treaty of Versailles, it is understood and agreed between the High Contracting Parties:

(1) That the rights and advantages stipulated in that Treaty for the benefit of the United States, which it is intended the United States shall have and enjoy, are those defined in Section 1, of Part IV, and Parts V, VI, VIII, IX, X, XI, XII, XIV, and XV.

The United States in availing itself of the rights and advantages stipulated in the provisions of that Treaty mentioned in this paragraph will do so in a manner consistent with the rights accorded to Germany under such provisions.

(2) That the United States shall not be bound by the provisions of Part I of that Treaty, nor by any provisions of that Treaty including those mentioned in Paragraph (1) of this Article, which relate to the Covenant

of the League of Nations, nor shall the United States be bound by any action taken by the League of Nations, or by the Council or by the Assembly thereof, unless the United States shall expressly give its assent to such action.

(3) That the United States assumes no obligations under or with respect to the provisions of Part II, Part III, Sections 2 to 8 inclusive of Part IV, and Part XIII of that Treaty.

(4) That while the United States is privileged to participate in the Reparation Commission, according to the terms of Part VIII of that Treaty, and in any other Commission established under the Treaty or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so.

(5) That the periods of time to which reference is made in Article 440 of the Treaty of Versailles shall run, with respect to any act or election on the part of the United States, from the date of the coming into force of the present Treaty.

ARTICLE III.

The present Treaty shall be ratified in accordance with the constitutional forms of the High Contracting Parties and shall take effect immediately on the exchange of ratifications which shall take place as soon as possible at Berlin.

In witness whereof, the respective plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate in Berlin this twenty-fifth day of August, 1921.

[SEAL] ELLIS LORING DRESEL

[SEAL] ROSEN

TREATY ESTABLISHING FRIENDLY RELATIONS BETWEEN THE UNITED STATES AND HUNGARY.¹

Signed at Budapest, August 29, 1921.

THE UNITED STATES OF AMERICA AND HUNGARY:

Considering that the United States, acting in conjunction with its co-belligerents, entered into an Armistice with Austria-Hungary on November 3, 1918, in order that a Treaty of Peace might be concluded;

Considering that the former Austro-Hungarian Monarchy ceased to exist and was replaced in Hungary by a national Hungarian Government;

Considering that the Treaty of Trianon to which Hungary is a party was signed on June 4, 1920, and came into force according to the terms of its Article 364, but has not been ratified by the United States;

¹United States Treaty Series, No. 660.

Considering that the Congress of the United States passed a Joint Resolution, approved by the President July 2, 1921, which reads in part as follows:

*"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, * * * **

"That the state of war declared to exist between the Imperial and Royal Austro-Hungarian Government and the United States of America by the joint resolution of Congress approved December 7, 1917, is hereby declared at an end.

"Sec. 4. That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations, or advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 3, 1918, or any extensions or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the treaty of Saint Germain-en-Laye or the treaty of Trianon, have been stipulated for its or their benefit; or to which it is entitled as one of the principal allied and associated powers; or to which it is entitled by virtue of any Act or Acts of Congress; or otherwise.

"Sec. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals which was, on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments respectively, of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government, or its agents, or the Imperial and Royal Austro-Hungarian Government, or its agents, since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether

through the ownership of shares of stock in German, Austro-Hungarian, American, or other corporations, or in consequence of hostilities or of any operations of war, or otherwise, and also shall have granted to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce and industrial property rights, and until the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively confirmed to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Imperial German Government or German nationals or the Imperial and Royal Austro-Hungarian Government or Austro-Hungarian nationals, and shall have waived any and all pecuniary claims against the United States of America."

Being desirous of establishing securely friendly relations between the two nations;

Have for that purpose appointed their plenipotentiaries;

The President of the United States of America, U. Grant Smith, Commissioner of the United States to Hungary, and Hungary, Count Nicholas Bánffy, Royal Hungarian Minister for Foreign Affairs;

Who, having communicated their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I.

Hungary undertakes to accord to the United States, and the United States shall have and enjoy, all the rights, privileges, indemnities, reparations or advantages specified in the aforesaid Joint Resolution of the Congress of the United States of July 2, 1921, including all the rights and advantages stipulated for the benefit of the United States in the Treaty of Trianon which the United States shall fully enjoy notwithstanding the fact that such Treaty has not been ratified by the United States. The United States, in availing itself of the rights and advantages stipulated in the provisions of that Treaty, will do so in a manner consistent with the rights accorded to Hungary under such provisions.

ARTICLE II.

With a view to defining more particularly the obligations of Hungary under the foregoing Article with respect to certain provisions in the Treaty of Trianon, it is understood and agreed between the High Contracting Parties:

(1) That the rights and advantages stipulated in that Treaty for the benefit of the United States, which it is intended the United States

shall have and enjoy, are those defined in Parts V, VI, VIII, IX, X, ~~XI~~, XII and XIV.

(2) That the United States shall not be bound by the provisions of Part I of that Treaty, nor by any provisions of that Treaty including those mentioned in paragraph (1) of this Article, which relate to the Covenant of the League of Nations, nor shall the United States be bound by any action taken by the League of Nations, or by the Council or by the Assembly thereof, unless the United States shall expressly give its assent to such action.

(3) That the United States assumes no obligations under or with respect to the provisions of Part II, Part III, Part IV and Part XIII of that Treaty.

(4) That, while the United States is privileged to participate in the Reparation Commission, according to the terms of Part VIII of that Treaty, and in any other commission established under the Treaty or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so.

(5) That the periods of time to which reference is made in Article 364 of the Treaty of Trianon shall run, with respect to any act or election on the part of the United States, from the date of the coming into force of the present Treaty.

ARTICLE III.

The present Treaty shall be ratified in accordance with the constitutional forms of the High Contracting Parties and shall take effect immediately on the exchange of ratifications which shall take place as soon as possible at Budapest.

In witness whereof, the respective plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate in Budapest, this 29th day of August, 1921.

[SEAL] U. GRANT SMITH

Commissioner of the United States to Hungary.

[SEAL] COUNT NICHOLAS BÁNFFY

Royal Hungarian Minister for Foreign Affairs.

AGREEMENT BETWEEN THE UNITED STATES AND NORWAY FOR THE SUBMISSION
TO ARBITRATION OF CERTAIN CLAIMS OF NORWEGIAN SUBJECTS¹

Signed at Washington, June 30, 1921.

The United States of America and His Majesty the King of Norway, desiring to settle amicably certain claims of Norwegian subjects against the United States arising, according to contentions of the Government of

¹U. S. Treaty Series, No. 654.

- Norway, out of certain requisitions by the United States Shipping Board Emergency Fleet Corporation;

Considering that these claims have been presented to the United States Shipping Board Emergency Fleet Corporation and that the said corporation and the claimants have failed to reach an agreement for the settlement thereof;

Considering, therefore, that the claims should be submitted to arbitration conformably to the Convention of the 18th of October, 1907, for the pacific settlement of international disputes and the Arbitration Convention concluded by the two Governments April 4, 1908, and renewed by agreements dated June 16, 1913, and March 30, 1918, respectively;

Have appointed as their plenipotentiaries, for the purpose of concluding the following Special Agreement:

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

CHARLES E. HUGHES, Secretary of State of the United States;
and

HIS MAJESTY THE KING OF NORWAY:

MR. HELMER H. BRYN, his Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed on the following articles:

ARTICLE I.

The Arbitral Tribunal shall be constituted in accordance with Article 87 (Chapter IV) and Article 59 (Chapter III) of the said Convention of October 18, 1907, except as hereinafter provided, to wit:

One arbitrator shall be appointed by the President of the United States, one by His Majesty the King of Norway, and the third, who shall preside over the Tribunal, shall be selected by mutual agreement between the two Governments. If the two Governments shall not agree within one month from the date of the exchange of ratifications of the present Agreement in naming such third arbitrator, then he shall be named by the President of the Swiss Confederation, if he is willing.

The Tribunal shall examine and decide the aforesaid claims in accordance with the principles of law and equity and determine what sum if any shall be paid in settlement of each claim.

The Tribunal shall also examine any claim of Page Brothers, American citizens, against any Norwegian subject in whose behalf a claim is presented under the present Agreement, arising out of a transaction on which such claim is based, and shall determine what portion of any sum that may be awarded to such claimant shall be paid to such American citizens in accordance with the principles of law and equity.

ARTICLE II.

As soon as possible, and within five months from the date of the exchange of ratifications of the present Agreement, each Party shall present to the agent of the other Party, two printed copies of its case (and additional copies that may be agreed upon) together with the documentary evidence upon which it relies. It shall be sufficient for this purpose if such copies and documents are delivered at the Norwegian Legation at Washington or at the American Legation at Christiania, as the case may be, for transmission.

Within twenty days thereafter, each Party shall deliver two printed copies of its case and accompanying documentary evidence to each member of the Arbitral Tribunal, and such delivery may be made by depositing these copies within the stated period with the International Bureau at The Hague for transmission to the Arbitrators.

After the delivery on both sides of such printed case, either Party may present, within three months after the expiration of the period above fixed for the delivery of the case to the agent of the other Party, a printed counter-case (and additional copies that may be agreed upon) with documentary evidence, in answer to the case and documentary evidence of the other Party, and within fifteen days thereafter shall, as above provided, deliver in duplicate such counter-case and accompanying evidence to each of the Arbitrators.

As soon as possible and within one month after the expiration of the period above fixed for the delivery to the agents of the counter-case, each Party shall deliver in duplicate to each of the Arbitrators and to the agent of the other Party a printed argument (and additional copies that may be agreed upon) showing the points relied upon in the case and counter-case, and referring to the documentary evidence upon which it is based. Delivery in each case may be made in the manner provided for the delivery of the case and counter-case to the Arbitrators and to the agents.

The time fixed by this Agreement for the delivery of the case, counter-case, or argument, and for the meeting of the Tribunal, may be extended by mutual consent of the Parties.

ARTICLE III.

The Tribunal shall meet at The Hague within one month after the expiration of the period fixed for the delivery of the printed argument as provided for in Article II.

The agents and counsel of each Party may present in support of its case oral arguments to the Tribunal, and additional written arguments, copies of which shall be delivered by each Party in duplicate to the Arbitrators and to the agents and counsel of the other Party.

The Tribunal may demand oral explanations from the agents of the two Parties as well as from experts and witnesses whose appearance before the Tribunal it may consider useful.

ARTICLE IV.

The decision of the Tribunal shall be made within two months from the close of the arguments on both sides, unless on the request of the Tribunal the Parties shall agree to extend the period. The decision shall be in writing.

The decision of the majority of the members of the Tribunal shall be the decision of the Tribunal.

The language in which the proceedings shall be conducted shall be English.

The decision shall be accepted as final and binding upon the two Governments.

Any amount granted by the award rendered shall bear interest at the rate of six per centum per annum from the date of the rendition of the decision until the date of payment.

ARTICLE V.

Each Government shall pay the expenses of the presentation and conduct of its case before the Tribunal; all other expenses which by their nature are a charge on both Governments, including the honorarium for each arbitrator, shall be borne by the two Governments in equal moieties.

ARTICLE VI.

This Special Agreement shall be ratified in accordance with the constitutional forms of the contracting parties and shall take effect immediately upon the exchange of ratifications, which shall take place as soon as possible at Washington.

In witness whereof, the respective plenipotentiaries have signed this Special Agreement and have hereunto affixed their seals.

Done in duplicate at Washington this 30th day of June, 1921.

[SEAL] CHARLES E. HUGHES

[SEAL] HELMER H. BRYN

PROTOCOL BETWEEN THE UNITED STATES AND PERU FOR ARBITRATION OF THE
LANDREAU CLAIM AGAINST PERU.¹

Signed at Lima, May 21, 1921.

The Government of the United States of America and the Government of the Republic of Peru, not having been able to reach an agreement con-

¹U. S. Treaty Series, No. 653.

cerning the claim against Peru of the heirs and assigns of the American citizen, John Celestin Landreau, arising out of a decree of October 24, 1865, of the Government of Peru, providing for the payment of rewards to John Teophile Landreau, brother of John Celestin Landreau, for the discovery of guano deposits, and out of contracts between John Teophile Landreau and John Celestin Landreau entered into on or about April 6th, 1859, and October 29th, 1875, which claim is supported by the Government of the United States, have resolved to submit the question for decision to an International Arbitral Commission, and to that end have named their respective plenipotentiaries, that is to say:

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

WILLIAM E. GONZALES, Ambassador of the United States at Lima;
and

THE PRESIDENT OF PERU:

DOCTOR ALBERTO SALOMON, Minister of Foreign Relations;

Who, after having exchanged their full powers, found to be in due and proper form, have agreed upon the following articles:

ARTICLE I.

The questions to be determined by the Arbitral Commission are: First. Whether the release granted the Peruvian Government in 1892 by John Teophile Landreau eliminated any claim which John Celestin Landreau, the American citizen, may have had against the Peruvian Government, and if all claims were not thereby extinguished then, second: What sum if any is equitably due the heirs or assigns of John Celestin Landreau.

ARTICLE II.

The Commission shall be composed of three members as follows:

The Government of the United States, and the Government of Peru shall each, within thirty days after this Protocol becomes effective, appoint one Commissioner and these two shall, within ninety days after this Protocol becomes effective, select a third Commissioner, who shall act as President of the Commission, and shall be a national of either Denmark, Great Britain or the Netherlands.

If, at the termination of the ninety days' period just mentioned, they are unable to agree upon a third Commissioner, he shall be selected, within a further period of thirty days, by the Queen of the Netherlands, provided she is willing.

ARTICLE III.

All vacancies occurring from death, resignation or otherwise, in the membership of the Commission, shall be filled as was the original appointment, within thirty days from the occurrence of such vacancy.

ARTICLE IV.

The Commission shall, with the consent of the respective Governments, meet at the residence place of the President of the Commission, within sixty days after the case is ready for consideration, according to the 2nd paragraph of Article X of this Protocol, and shall hold all of its sessions in the same place.

ARTICLE V.

The concurrent action of any two members of the Commission shall be adequate for a decision on all matters coming before them, including the making of the final award.

ARTICLE VI.

The Government of the United States and the Government of Peru shall each be entitled to appoint an Agent for the presentation and argument of its case before the Commission.

ARTICLE VII.

The Commission shall keep a record of all its proceedings. For this purpose the President of the Commission shall appoint a Secretary who shall be of his own nationality.

ARTICLE VIII.

In the presentation of its documents, evidence, correspondence or arguments to the Commission, either party may use the English or the Spanish language.

ARTICLE IX.

Either party may demand from the other the discovery of any fact or of any document deemed to be or to contain material evidence for the party asking it. Any document desired shall be described with sufficient accuracy for identification, and the demanded discovery shall be made by delivering a statement of the fact or by depositing a copy of such document (certified by its lawful custodian, if it be a public document, and verified as such by the possessor, if a private one) to the Foreign Office of the demanding Government which shall be given opportunity to examine the original through its duly accredited diplomatic representatives. If notice of the desired discovery be given too late to be answered ten days before the Commission herein provided for shall sit for hearings, then the answer desired thereto shall be filed with or documents produced before the Commission as speedily as possible.

ARTICLE X.

The case of the United States and supporting evidence shall be presented to the Government of Peru through its duly accredited representa-

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tive at Washington as soon as possible, and, at the latest, within four months from the date when this agreement becomes effective. The Government of Peru shall submit in like manner, through its representative at Washington, its full answer to such case within five months from the date of the presentation of the case of the United States. The Government of the United States shall present in like manner its reply to the answer of the Peruvian Government, which reply shall contain only matters in reply to the case of the Government of Peru, within three months from the date of the filing of the Peruvian answer, and Peru may, in like manner, within four months, present a reply to the reply of the Government of the United States. The allegations and documents of each party shall be presented at least in quintuplicate.

The case shall then be ready for consideration by the Commission, which shall hear arguments by the Agents of the respective Governments, and, in its discretion, may, after convening, call for further documents, evidence or correspondence from either Government; and such further documents, evidence or correspondence, shall if possible be furnished within sixty days from the date of the call. If not so furnished within the time specified, a decision in the case may be given without the use of said documents, evidence or correspondence.

ARTICLE XI.

The decision of the Commission shall be rendered within four months from the date of its first meeting, unless the Commission, for reasons which shall be communicated to both Governments, shall find it imperatively necessary to extend the time. The decision, when made, shall be forthwith communicated to the Governments at Washington and Lima. It shall be accepted as final and binding upon the two Governments.

ARTICLE XII.

The amount granted by the award, if there should be any, shall be made payable in gold coin of the United States, at the Department of State, Washington, within one year after the rendition of the decision by the Commission, with interest at six per centum per annum, beginning to run one month after the rendition of the decision.

ARTICLE XIII.

Each of the parties hereto shall pay its own expenses and one-half of the common expenses of the Arbitration. Each Government shall pay the salary and expenses of the Commissioner appointed by it, but the salary and expenses of the third Commissioner and of the Secretary shall be included in the common expenses of the Arbitration.

• In faith whereof, they have drawn up the present protocol, in duplicate, in like terms in English and Spanish, signing and sealing it with their private seals, in Lima, this twenty-first day of May, one thousand nine hundred and twenty-one.

[SEAL] WILLIAM A. GONZALES

[SEAL] A. SALOMON

CONVENTION BETWEEN THE UNITED STATES AND SALVADOR FACILITATING THE
WORK OF TRAVELING SALESMEN.¹

Signed at Washington, January 28, 1919.

The United States of America and the Republic of Salvador being desirous to foster the development of commerce between them and to increase the exchange of commodities by facilitating the work of traveling salesmen have agreed to conclude a convention for that purpose and have to that end appointed as their plenipotentiaries:

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

FRANK L. POLK, Acting Secretary of State of the United States of America;

and

THE PRESIDENT OF THE REPUBLIC OF SALVADOR:

RAFAEL ZALDIVAR, Envoy Extraordinary and Minister Plenipotentiary for the Republic of Salvador in the United States of America;

Who, having communicated to each other their full powers, which were found to be in due form, have agreed upon the following articles:

ARTICLE I

Manufacturers, merchants, and traders domiciled within the jurisdiction of one of the High Contracting Parties may operate as commercial travelers either personally or by means of agents or employes within the jurisdiction of the other High Contracting Party on obtaining from the latter, upon payment of a single fee, a license which shall be valid throughout its entire territorial jurisdiction.

In case either of the High Contracting Parties shall be engaged in war, it reserves to itself the right to prevent from operating within its jurisdiction under the provisions of this treaty, or otherwise, enemy nationals or other aliens whose presence it may consider prejudicial to public order and national safety.

¹ U. S. Treaty Series, No. 651.

ARTICLE II

In order to secure the license above mentioned the applicant must obtain from the country of domicile of the manufacturers, merchants, and traders represented a certificate attesting his character as a commercial traveler. This certificate, which shall be issued by the authority to be designated in each country for the purpose, shall be viséed by the consul of the country in which the applicant proposes to operate, and the authorities of the latter shall, upon the presentation of such certificate, issue to the applicant the national license as provided in Article I.

ARTICLE III

A commercial traveler may sell his samples without obtaining a special license as an importer.

ARTICLE IV

Samples without commercial value shall be admitted to entry free of duty.

Samples marked, stamped, or defaced, in such manner that they can not be put to other uses, shall be considered as objects without commercial value.

ARTICLE V

Samples having commercial value shall be provisionally admitted upon giving bond for the payment of lawful duties if they shall not have been withdrawn from the country within a period of six (6) months.

Duties shall be paid on such portion of the samples as shall not have been so withdrawn.

ARTICLE VI

All customs formalities shall be simplified as much as possible with a view to avoid delay in the despatch of samples.

ARTICLE VII

Peddlers and other salesmen who vend directly to the consumer, even though they have not an established place of business in the country in which they operate, shall not be considered as commercial travelers, but shall be subject to the license fees levied on business of the kind which they carry on.

ARTICLE VIII

No license shall be required of:

(a) Persons traveling only to study trade and its needs, even though they initiate commercial relations, provided they do not make sales of merchandise.

(b) Persons operating through local agencies which pay the license fee or other imposts to which their business is subject.

(c) Travelers who are exclusively buyers.

ARTICLE IX

Any concessions affecting any of the provisions of the present Treaty that may hereafter be granted by either High Contracting Party, either by law or by treaty or convention, shall immediately be extended to the other party.

ARTICLE X

This Convention shall be ratified; and the ratifications shall be exchanged at Washington or San Salvador within two years, or sooner if possible.

The present Convention shall remain in force until the end of six months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same, each of them reserving to itself the right of giving such notice to the other at any time. And it is hereby agreed between the parties that, on the expiration of six months after such notice shall have been received by either of them from the other party as above mentioned, this Convention shall altogether cease and terminate.

In testimony whereof the respective plenipotentiaries have signed these articles and have thereunder affixed their seals.

Done in duplicate, at Washington, this twenty-eighth day of January, one thousand nine hundred and nineteen.

[SEAL] FRANK L. POLK

[SEAL] R. ZALDIVAR

TREATY AND PROTOCOL BETWEEN THE UNITED STATES AND SIAM REVISING TREATIES HITHERTO EXISTING.¹

Signed at Washington, December 16, 1920

The President of the United States of America and His Majesty the King of Siam being desirous of strengthening the relations of amity and good understanding which happily exist between the two States, and being convinced that this cannot be better accomplished than by revising the treaties hitherto existing between the two countries, have resolved to complete such revision, based upon the principles of equity and mutual benefit, and for that purpose have named as their Plenipotentiaries, that is to say:

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

NORMAN H. DAVIS, Acting Secretary of State of the United States;

¹U. S. Treaty Series, No. 655.

HIS MAJESTY THE KING OF SIAM:

PHYA PRABHA KARAVONGSE, Envoy Extraordinary and Minister Plenipotentiary of Siam to the United States;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE I

There shall be constant peace and perpetual friendship between the United States of America and the Kingdom of Siam. The citizens or subjects of each of the High Contracting Parties shall have liberty to enter, travel and reside in the territories of the other, to carry on trade, wholesale and retail, to engage in religious, educational and charitable work, to own or lease and occupy houses, manufactories, warehouses and shops, to employ agents of their choice, to lease land for residential, commercial, religious and charitable purposes and for use as cemeteries, and generally to do anything incident to or necessary for trade upon the same terms as native citizens or subjects, submitting themselves to the laws and regulations there established.

They shall not be compelled under any pretext whatever, to pay any internal charges or taxes other or higher than those that are or may be paid by native citizens or subjects.

The citizens or subjects of each of the High Contracting Parties shall receive, in the territories of the other, the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or may be granted to native citizens or subjects, on their submitting themselves to the conditions imposed upon the native citizens or subjects.

They shall, however, be exempt in the territories of the other from compulsory military service either on land or sea, in the regular forces, or in the national guard, or in the militia; from all contributions imposed in lieu of personal military service, and from all forced loans or military exactions or contributions.

The citizens and subjects of both of the High Contracting Parties shall enjoy in the territories and possessions of the High Contracting Parties entire liberty of conscience, and, subject to the laws, ordinances and regulations, shall enjoy the right of private or public exercise of their worship.

ARTICLE II

The dwellings, warehouses, manufactories and shops and all other property of the citizens or subjects of each of the High Contracting Parties in the territories of the other, and all premises appertaining thereto used for purposes of residence or commerce, shall be respected. It shall not be allowable to proceed to make a domiciliary visit to, or a search of, any such

- buildings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for nationals.

ARTICLE III

There shall be reciprocally full and entire freedom of commerce and navigation between the territories and possessions of the two High Contracting Parties.

• The citizens or subjects of either of the High Contracting Parties shall have liberty freely and securely to come with their ships' cargoes to all places, ports and rivers in the territories of the other, which are or hereafter may be opened to foreign commerce and navigation; except as regards spirituous, distilled or fermented drinks or alcoholic liquors or alcohol, and opium and the derivatives thereof and cocaine, heroin and other narcotic drugs included within the scope of the International Opium Convention signed at The Hague, January 23, 1912, and arms and ammunition, the trade in all of which may, subject to the principle of most-favored-nation treatment, be regulated and restricted at will by each of the High Contracting Parties within its territories and possessions, the sale and resale, by any person or organization whatsoever, of goods which are the produce or manufacture of one of the High Contracting Parties, within the territories and possessions of the other, shall be exempt from all governmental restrictions and limitations designed or operating to create or maintain any monopoly or "farm" for the profit either of the Government or of a private individual or organization.

ARTICLE IV

The citizens or subjects of each of the High Contracting Parties, shall have free access to the courts of justice of the other in pursuit and defense of their rights; they shall be at liberty, equally with the native citizens or subjects, and with the citizens or subjects of the most favored nation, to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such courts. There shall be no conditions or requirements imposed upon American citizens in connection with such access to the Courts of Justice in Siam, which do not apply to native citizens or subjects or to the citizens or subjects of the most favored nation.

ARTICLE V

Limited-liability and other companies and associations, already or hereafter to be organized in accordance with the laws of either High Contracting Party and domiciled in the territories of such Party, are authorized, in the territories of the other, to exercise their rights and appear in the

courts either as plaintiffs or defendants, subject to the laws of such other Party.

There shall be no conditions or requirements imposed upon American corporations, companies or associations, in connection with such access to the Courts of Justice in Siam, which do not apply to such native corporations, companies, or associations, or to the corporations, companies or associations of the most favored nation.

ARTICLE VI

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories and possessions of the other a perfect equality of treatment with native citizens or subjects and with citizens or subjects of the most favored nation, in all that relates to transit duties, warehousing, bounties, facilities, and the examination and appraisement of merchandise.

ARTICLE VII

The United States of America recognizes that the principle of national autonomy should apply to the Kingdom of Siam in all that pertains to the rates of duty on importations and exportations of merchandise, drawbacks, and transit and all other taxes and impositions; and subject to the condition of equality of treatment with other nations in these respects, the United States of America agrees to assent to increases by Siam in its tariff to rates higher than those established by existing treaties,—on the further condition, however, that all other nations entitled to claim special tariff treatment in Siam assent to such increases freely and without the requirement of any compensatory benefit or privilege.

ARTICLE VIII

In all that concerns the entering, clearing, stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbors or rivers of the two countries, no privilege shall be granted to vessels of a third Power which shall not equally be granted to vessels of the other country; the intention of the High Contracting Parties being that in these respects the vessels of each shall receive the treatment accorded to vessels of the most favored nation.

ARTICLE IX

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present treaty, and shall be regulated according to the laws, ordinances and regulations of the United States of America and of Siam, respectively. It is, however, understood that citizens of the United States of America in the territories and possessions of His Majesty the King of Siam and Siamese citizens or subjects in the territories and

possessions of the United States of America shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the citizens or subjects of other nations.

ARTICLE X

Any ship of war or merchant vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessels should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall give prompt notice of the occurrence, to the Consular Officer residing in the district, or to the nearest Consular Officer of the other Power.

Such stranded or wrecked ship or vessel and all parts thereof, and all furniture and appurtenances belonging thereto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them.

If such owners or agents are not on the spot, the aforesaid property or proceeds from the sale thereof and the papers found on board the vessel shall be delivered to the proper Consular Officer of the High Contracting Party whose vessel is wrecked or stranded, provided that such Consular Officer shall make claim within the period fixed by the laws, ordinances and regulations of the country in which the wreck or stranding occurred, and such Consular Officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of the wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all duties of the customs unless cleared for consumption, in which case they shall pay ordinary duties.

In the case of a ship or vessel belonging to the citizens or subjects of one of the High Contracting Parties being driven in by stress of weather, run aground or wrecked in the territories or possessions of the other, the proper Consular Officers of the High Contracting Party to which the vessel belongs, shall, if the owners or their agents are not present, or are present

but require it, be authorized to interpose in order to afford the necessary assistance to the citizens or subjects of his State.

ARTICLE XI

The vessels of war of each of the High Contracting Parties may enter, remain and make repairs in those ports and places of the other to which the vessels of war of other nations are accorded access; they shall there submit to the same regulations and enjoy the same honors, advantages, privileges and exemptions as are now, or may hereafter be conceded to the vessels of war of any other nation.

ARTICLE XII

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories and possessions of the other, upon fulfilment of the formalities prescribed by law, the same protection as native citizens or subjects, or the citizens or subjects of the nation most favored in these respects, in regard to patents, trade-marks, trade-names, designs and copy-rights.

ARTICLE XIII

Each of the High Contracting Parties may appoint Consuls General, Consuls, Vice Consuls and other Consular officers or Agents to reside in the towns and ports of the territories and possessions of the other where similar officers of other Powers are permitted to reside.

Such Consular Officers and Agents, however, shall not enter upon their functions until they shall have been approved and admitted by the Government to which they are sent.

They shall be entitled to exercise all the powers and enjoy all the honors, privileges, exemptions and immunities of every kind which are, or may be, accorded to Consular Officers of the most favored nation.

ARTICLE XIV

In case of the death of any subject of Siam in the United States or of any citizen of the United States in Siam without having in the country of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest Consular Officer of the nation to which the deceased belonged, in order that the necessary information may be immediately forwarded to parties interested.

In the event of any citizens or subjects of either of the High Contracting Parties dying without will or testament, in the territory of the other Contracting Party, the Consul General, Consul, Vice Consul, or other Consular Officer or Agent, of the nation to which the deceased belonged, or, in his absence, the representative of such Consul General, Consul, Vice Consul,

or other Consular Officer or Agent, shall, so far as the laws of each country will permit and pending the appointment of an administrator and until letters of administration have been granted, take charge of the personal property left by the deceased for the benefit of his lawful heirs and creditors.

ARTICLE XV

It is understood by the High Contracting Parties that the stipulations contained in this Treaty do not in any way affect, supersede, or modify any of the laws, ordinances and regulations with regard to trade, naturalization, immigration, police and public security which are in force or which may be enacted in either of the two countries.

ARTICLE XVI

The present Treaty shall, from the date of the exchange of ratifications thereof, be substituted in place of the Convention of Amity and Commerce concluded at Bangkok on the 20th day of March, 1833, of the Treaty of Amity and Commerce concluded at Bangkok on the 29th day of May, 1856, and of the Agreement regulating liquor traffic in Siam concluded at Washington on the 14th day of May, 1884, and of all arrangements and agreements subsidiary thereto concluded or existing between the High Contracting Parties, and from the same date, such conventions, treaties, arrangements and agreements shall cease to be binding.

ARTICLE XVII

The present Treaty shall come into effect on the date of the exchange of ratifications and shall remain in force for ten years from that date.

In case neither of the High Contracting Parties should have notified twelve months before the expiration of the said ten years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it.

It is clearly understood, however, that such denunciation shall not have the effect of reviving any of the treaties, conventions, arrangements or agreements mentioned in Article XVI hereof.

ARTICLE XVIII

This Treaty shall be ratified and the ratifications thereof shall be exchanged, either at Washington or Bangkok, as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have thereunto affixed their seals.

Done in duplicate, in the English language, at Washington, the sixteenth day of December in the nineteen hundred and twentieth year of the

Christian Era, corresponding to the sixteenth day of the ninth month in the two thousand four hundred and sixty-third year of the Buddhist Era.

[SEAL] NORMAN H. DAVIS

[SEAL] PRABHA KARAVONGSE

ANNEX

PROTOCOL CONCERNING JURISDICTION APPLICABLE IN THE KINGDOM OF SIAM TO AMERICAN CITIZENS AND OTHERS ENTITLED TO THE PROTECTION OF THE UNITED STATES

At the moment of proceeding this day to the signature of the new Treaty of Friendship, Commerce and Navigation between the United States and the Kingdom of Siam, the Plenipotentiaries of the two High Contracting Parties have agreed as follows:

ARTICLE I

The system of jurisdiction heretofore established in Siam for citizens of the United States and the privileges, exemptions and immunities now enjoyed by the citizens of the United States in Siam as a part of or appurtenant to said system shall absolutely cease and determine on the date of the exchange of ratifications of the above-mentioned Treaty and thereafter all citizens of the United States and persons, corporations, companies and associations entitled to its protection in Siam shall be subject to the jurisdiction of the Siamese Courts.

ARTICLE II

Until the promulgation and putting into force of all the Siamese Codes, namely, the Penal Code, the Civil and Commercial Codes, the Codes of Procedure and the Law for Organization of Courts and for a period of five years thereafter, but no longer, the United States, through its Diplomatic and Consular Officials in Siam, whenever in its discretion it deems it proper so to do in the interests of justice, by means of a written requisition addressed to the judge or judges of the Court in which such case is pending, may invoke any case pending in any Siamese Court, except the Supreme or Dika Court, in which an American citizen or a person, corporation, company or association entitled to the protection of the United States, is defendant or accused.

Such case shall then be transferred to said Diplomatic or Consular Official for adjudication and the jurisdiction of the Siamese Court over such case shall thereupon cease. Any case so evoked shall be disposed of by said Diplomatic or Consular official in accordance with the laws of the United States properly applicable, except that as to all matters coming within the scope of Codes or Laws of the Kingdom of Siam regularly pro-

mulgated and in force, the texts of which have been communicated to the American Legation in Bangkok, the rights and liabilities of the parties shall be determined by Siamese law.

For the purpose of trying such cases and of executing any judgments which may be rendered therein, the jurisdiction of the American Diplomatic and Consular officials in Siam is continued.

Should the United States perceive, within a reasonable time after the promulgation of said Codes, any objection to said Codes, namely, the Penal Code, the Civil and Commercial Codes, the Codes of Procedure and the Law for Organization of Courts, the Siamese Government will endeavor to meet such objections.

ARTICLE III

Appeals by citizens of the United States or by persons, corporations, companies or/and associations entitled to its protection, from judgments of Courts of First Instance in cases to which they may be parties, shall be adjudged by the Court of Appeal at Bangkok.

An appeal on a question of law shall lie from the Court of Appeal at Bangkok to the Supreme or Dika Court.

A citizen of the United States or a person, corporation, company or association entitled to its protection, who is defendant or accused in any case arising in the Provinces, may apply for a change of venue and should the Court consider such change desirable the trial shall take place either at Bangkok or before the judge in whose Court the case would be tried at Bangkok.

ARTICLE IV

In order to prevent difficulties which may arise from the transfer of jurisdiction contemplated by the present Protocol, it is agreed,

(a) All cases in which action shall be taken subsequently to the date of the exchange of ratifications of the above-mentioned Treaty, shall be entered and decided in the Siamese Courts, whether the cause of action arose before or after the date of said exchange of ratifications.

(b) All cases pending before the American Diplomatic and Consular officials in Siam on said date shall take their usual course before such officials until such cases have been finally disposed of, and the jurisdiction of the American Diplomatic and Consular officials shall remain in full force for this purpose.

In connection with any case coming before the American Diplomatic or Consular officials under clause (b) of Article IV, or which may be evoked by said officials under Article II, the Siamese authorities shall upon request by such Diplomatic or Consular officials lend their assistance in all matters pertaining to the case.

In witness whereof the undersigned Plenipotentiaries have hereto signed their names and affixed their seals, this sixteenth day of December,

in the nineteen hundred and twentieth year of the Christian Era, corresponding to the sixteenth day of the ninth month in the two thousand found hundred and sixty-third year of the Buddhist Era.

[SEAL] NORMAN H. DAVIS

[SEAL] PRABHA KARAVONGSE

[EXCHANGE OF NOTES.]

[*The Siamese Minister to the Acting Secretary of State.*]

SIAMESE LEGATION,

Washington, December 16, 1920.

Mr. Secretary:

Referring to Article I of the treaty signed by us this day which provides among other things for the leasing and ownership of real property in Siam by Americans, I have the honor to state that:

1. As to the lands for which the missions now possess papers of any kind or of which the missions are otherwise in legal occupation they should apply to have title papers issued in the regular way.

2. As to the lands held under lease from Government, the Siamese Government will not interrupt the possession by the missions as long as they continue to use the land for mission purposes.

3. However, in Ratburi the Mission is now occupying a house belonging to the Siamese Government; this must be returned when asked for.

4. It should be understood that the Siamese Government is not identified with Wat administration; that is to say, the foregoing understanding must not be construed as a promise by the Government to interfere with lands held and claimed by religious authorities, whether Buddhists or of any other faith.

5. Of course, all Mission lands are held subject to the exercise by the Siamese Government of the right of eminent domain.

I avail myself of the occasion to offer to you the renewed assurances of my highest consideration.

PRABHA KARAVONGSE

The Honorable,

NORMAN H. DAVIS,

Acting Secretary of State.

[*The Acting Secretary of State to the Siamese Minister.*]

DEPARTMENT OF STATE,

Washington, December 16, 1920.

Sir:

I have the honor to acknowledge the receipt of your note of this date referring to the provisions of Article I of the treaty signed by us today

and relating to the real property now in possession of American missionary societies in Siam. I note that:

1. As to the lands for which the missions now possess papers of any kind or of which the missions are otherwise in legal occupation they should apply to have title papers issued in the regular way.

2. As to the lands held under lease from Government, the Siamese Government will not interrupt the possession by the missions as long as they continue to use the land for mission purposes.

3. However, in Ratburi the Mission is now occupying a house belonging to the Siamese Government; this must be returned when asked for.

4. It is understood that the Siamese Government is not identified with Wat administration; that is to say, the foregoing understanding must not be construed as a promise by the Government to interfere with lands held and claimed by religious authorities, whether Buddhists or of any other faith.

5. All Mission Lands are held subject to the exercise by the Siamese Government of the right of eminent domain.

I have the honor to express my satisfaction with this pronouncement.

Accept, Sir, the renewed assurances of my highest consideration.

NORMAN H. DAVIS,
Acting Secretary of State.

PHYA PRABHA KARAVONGSE,
Siamese Minister.

AN ACT RELATING TO THE LANDING AND OPERATION OF SUBMARINE CABLES IN
THE UNITED STATES ¹

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no person shall land or operate in the United States any submarine cable directly or indirectly connecting the United States with any foreign country, or connecting one portion of the United States with any other portion thereof, unless a written license to land or operate such cable has been issued by the President of the United States: *Provided*, That any such cable now laid within the United States without a license granted by the President may continue to operate without such license for a period of ninety days from the date this Act takes effect: *And provided further*, That the conditions of this Act shall not apply to cables, all of which, including both terminals, lie wholly within the continental United States.

Sec. 2. That the President may withhold or revoke such license when he shall be satisfied after due notice and hearing that such action will assist

¹ Public, No. 8, 67th Congress, (S. 535.)

in securing rights for the landing or operation of cables in foreign countries, or in maintaining the rights or interests of the United States or of its citizens in foreign countries, or will promote the security of the United States, or may grant such license upon such terms as shall be necessary to assure just and reasonable rates and service in the operation and use of cables so licensed: *Provided*, That the license shall not contain terms or conditions granting to the licensee exclusive rights of landing or of operation in the United States: *And provided further*, That nothing herein contained shall be construed to limit the power and jurisdiction heretofore granted the Interstate Commerce Commission with respect to the transmission of messages.

Sec. 3. That the President is empowered to prevent the landing of any cable about to be landed in violation of this Act. When any such cable is about to be or is landed or is being operated, without a license, any district court of the United States exercising jurisdiction in the district in which such cable is about to be or is landed, or any district court of the United States having jurisdiction of the parties, shall have jurisdiction, at the suit of the United States, to enjoin the landing or operation of such cable or to compel, by injunction, the removal thereof.

Sec. 4. That whoever knowingly commits, instigates, or assists in any act forbidden by section 1 of this Act shall be guilty of a misdemeanor and shall be fined not more than \$5,000, or imprisoned for not more than one year, or both.

Sec. 5. That the term "United States" as used in this Act includes the Canal Zone, the Philippine Islands, and all territory, continental or insular, subject to the jurisdiction of the United States of America.

Sec. 6. That no right shall accrue to any Government, person, or corporation under the terms of this Act that may not be rescinded, changed, modified, or amended by the Congress.

Approved, May 27, 1921.

TREATY FOR THE ADVANCEMENT OF PEACE BETWEEN THE UNITED STATES AND
VENEZUELA¹

Signed at Caracas, March 21, 1921

The President of the United States of Venezuela and the President of the United States of America, being desirous to strengthen the bonds of amity that bind Venezuela and the United States together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose and to that end have appointed as their plenipotentiaries:

¹U. S. Treaty Series, No. 652.

• THE PRESIDENT OF THE UNITED STATES OF VENEZUELA:

Señor Doctor MANUEL DIAZ RODRIGUEZ, Minister for Foreign Relations;
and

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

MR. PRESTON MCGOODWIN, Envoy Extraordinary and Minister Plenipotentiary of said Nation to Venezuela;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

ARTICLE I.

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, which diplomacy shall fail to adjust, shall be submitted for investigation and report to a Permanent International Commission, to be constituted in the manner prescribed in article II; and they agree, if the case arises, not to declare war nor to begin hostilities during such investigation and before the report has been considered.

ARTICLE II.

The International Commission shall be composed of five members, to be appointed as follows: one member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, who can also submit his election to the four arbitrators already appointed; it being understood that he shall not be a citizen of either of the two countries. The expenses shall be paid by the two Governments in equal proportion.

The International Commission shall be appointed within six months after the exchange of the ratifications of this treaty; and the vacancies shall be filled according to the manner of the original appointment.

ARTICLE III.

In case the High Contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, before taking diplomatic steps or in the course thereof, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

The High Contracting Parties agree to afford to the Permanent International Commission all the means and facilities required for its investigation and report.

In each instance, the report of the International Commission shall be completed within one year after the date on which it shall declare its inves-

tigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

The High Contracting Parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

ARTICLE IV.

The present Treaty shall be ratified by the President of the United States of Venezuela, with the approval of Congress; and by the President of the United States of America, by and with the advice and consent of the Senate thereof; and the ratification shall be exchanged as soon as possible.

It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate it.

In witness whereof the respective plenipotentiaries have signed the present Treaty and have affixed thereunto their seals.

Done at Caracas on the twenty-first day of March, in the year nineteen hundred and fourteen.

[SEAL] PRESTON MCGOODWIN

[SEAL] MANUEL DIAZ RODRIGUEZ

Protocol.

The Government of the United States of America and the Government of the United States of Venezuela, desirous of removing any doubt or uncertainty that may exist or that may hereafter arise as to the interpretation to be placed upon the second clause of Article III of the Treaty of March 21, 1914, between the United States and Venezuela, looking to the advancement of the general cause of peace; which clause reads as follows:

"The International Commission may, however, before taking diplomatic steps or in the course thereof, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation;"

Have authorized the undersigned Plenipotentiaries to declare as follows:

It is the understanding of the two Governments that the said clause does not confer upon the Commission the right to act upon its own initiative before diplomatic means of adjustment have been exhausted, but that it shall be understood as meaning that, should the Commission spontaneously offer its services, it shall not proceed to undertake its investigation

and report in the matter which is the subject of disagreement between the two Governments, until after they shall have exhausted diplomatic means of adjustment.

In witness whereof, the undersigned Plenipotentiaries have signed their names and affixed their respective seals to this Protocol, at the City of Caracas, this twenty-seventh day of February, in the year 1915.

[SEAL] PRESTON MCGOODWIN

[SEAL] IGN° ANDRADE

TREATIES AND RESOLUTIONS APPROVED AND ADOPTED
BY THE CONFERENCE ON THE LIMITATION OF
ARMAMENT¹

Washington, D. C., November 12, 1921, to February 6, 1922

(1) A TREATY BETWEEN THE UNITED STATES OF AMERICA, THE BRITISH
EMPIRE, FRANCE, ITALY, AND JAPAN, LIMITING NAVAL ARMAMENT

February 6, 1922

The United States of America, the British Empire, France, Italy and Japan;

Desiring to contribute to the maintenance of the general peace, and to reduce the burdens of competition in armament;

Have resolved, with a view to accomplishing these purposes, to conclude a treaty to limit their respective naval armament, and to that end have appointed as their Plenipotentiaries;

The President of the United States of America:

Charles Evans Hughes,

Henry Cabot Lodge,

Oscar W. Underwood,

Elihu Root,

Citizens of the United States;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;

The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

and for the Dominion of Canada:

The Right Honourable Sir Robert Laird Borden, G. C. M. G., K. C.;

for the Commonwealth of Australia:

Senator the Right Honourable George Foster Pearce, Minister for Home and Territories;

¹ Senate Document, No. 125, 67th Cong., 2d sess.

for the Dominion of New Zealand:

The Honourable Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;

for the Union of South Africa:

The Right Honourable Arthur James Balfour, O. M., M. P.;

for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;

The President of the French Republic:

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the King of Italy:

The Honourable Carlo Schanzer, Senator of the Kingdom;

The Honourable Vittorio Rolandi Ricci, Senator of the Kingdom, His Ambassador Extraordinary and Plenipotentiary at Washington;

The Honourable Luigi Albertini, Senator of the Kingdom;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Who, having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows:

CHAPTER I

GENERAL PROVISIONS RELATING TO THE LIMITATION OF NAVAL ARMAMENT

ARTICLE I

The Contracting Powers agree to limit their respective naval armament as provided in the present Treaty.

ARTICLE II

The Contracting Powers may retain respectively the capital ships which are specified in Chapter II, Part I. On the coming into force of the present Treaty, but subject to the following provisions of this Article, all other

capital ships, built or building, of the United States, the British Empire and Japan shall be disposed of as prescribed in Chapter II, Part 2.

In addition to the capital ships specified in Chapter II, Part 1, the United States may complete and retain two ships of the *West Virginia* class now under construction. On the completion of these two ships the *North Dakota* and *Delaware* shall be disposed of as prescribed in Chapter II, Part 2.

The British Empire may, in accordance with the replacement table in Chapter II, Part 3, construct two new capital ships not exceeding 35,000 tons (35,560 metric tons) standard displacement each. On the completion of the said two ships the *Thunderer*, *King George V*, *Ajax* and *Centurion* shall be disposed of as prescribed in Chapter II, Part 2.

ARTICLE III

Subject to the provisions of Article II, the Contracting Powers shall abandon their respective capital ship building programs, and no new capital ships shall be constructed or acquired by any of the Contracting Powers except replacement tonnage which may be constructed or acquired as specified in Chapter II, Part 3.

Ships which are replaced in accordance with Chapter II, Part 3, shall be disposed of as prescribed in Part 2 of that Chapter.

ARTICLE IV

The total capital ship replacement tonnage of each of the Contracting Powers shall not exceed in standard displacement, for the United States 525,000 tons (533,400 metric tons); for the British Empire 525,000 tons (533,400 metric tons); for France 175,000 tons (177,800 metric tons); for Italy 175,000 tons (177,800 metric tons); for Japan 315,000 tons (320,040 metric tons).

ARTICLE V

No capital ship exceeding 35,000 tons (35,560 metric tons) standard displacement shall be acquired by, or constructed by, for, or within the jurisdiction of, any of the Contracting Powers.

ARTICLE VI

No capital ship of any of the Contracting Powers shall carry a gun with a calibre in excess of 16 inches (406 millimetres).

ARTICLE VII

The total tonnage for aircraft carriers of each of the Contracting Powers shall not exceed in standard displacement, for the United States 135,000 tons (137,160 metric tons); for the British Empire 135,000 tons (137,160 metric tons); for France 60,000 tons (60,960 metric tons); for Italy 60,000 tons (60,960 metric tons); for Japan 81,000 tons (82,296 metric tons).

ARTICLE VIII

The replacement of aircraft carriers shall be effected only as prescribed in Chapter II, Part 3, provided, however, that all aircraft carrier tonnage in existence or building on November 12, 1921, shall be considered experimental, and may be replaced, within the total tonnage limit prescribed in Article VII, without regard to its age.

ARTICLE IX

No aircraft carrier exceeding 27,000 tons (27,432 metric tons) standard displacement shall be acquired by, or constructed by, for or within the jurisdiction of, any of the Contracting Powers.

However, any of the Contracting Powers may, provided that its total tonnage allowance of aircraft carriers is not thereby exceeded, build not more than two aircraft carriers, each of a tonnage of not more than 33,000 tons (33,528 metric tons) standard displacement, and in order to effect economy any of the Contracting Powers may use for this purpose any two of their ships, whether constructed or in course of construction, which would otherwise be scrapped under the provisions of Article II. The armament of any aircraft carriers exceeding 27,000 tons (27,432 metric tons) standard displacement shall be in accordance with the requirements of Article X, except that the total number of guns to be carried in case any of such guns be of a calibre exceeding 6 inches (152 millimetres), except anti-aircraft guns and guns not exceeding 5 inches (127 millimetres), shall not exceed eight.

ARTICLE X

No aircraft carrier of any of the Contracting Powers shall carry a gun with a calibre in excess of 8 inches (203 millimetres). Without prejudice to the provisions of Article IX, if the armament carried includes guns exceeding 6 inches (152 millimetres) in calibre the total number of guns carried, except anti-aircraft guns and guns not exceeding 5 inches (127 millimetres), shall not exceed ten. If alternatively the armament contains no guns exceeding 6 inches (152 millimetres) in calibre, the number of guns is not limited. In either case the number of anti-aircraft guns and of guns not exceeding 5 inches (127 millimetres) is not limited.

ARTICLE XI

No vessel of war exceeding 10,000 tons (10,160 metric tons) standard displacement, other than a capital ship or aircraft carrier, shall be acquired by, or constructed by, for, or within the jurisdiction of, any of the Contracting Powers. Vessels not specifically built as fighting ships nor taken in time of peace under government control for fighting purposes, which are employed on fleet duties or as troop transports or in some other way for the purpose of assisting in the prosecution of hostilities otherwise than as fighting ships, shall not be within the limitations of this Article.

ARTICLE XII

No vessel of war of any of the Contracting Powers, hereafter laid down, other than a capital ship, shall carry a gun with a calibre in excess of 8 inches (203 millimetres).

ARTICLE XIII

Except as provided in Article IX, no ship designated in the present Treaty to be scrapped may be reconverted into a vessel of war.

ARTICLE XIV

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6 inch (152 millimetres) calibre.

ARTICLE XV

No vessel of war constructed within the jurisdiction of any of the Contracting Powers for a non-Contracting Power shall exceed the limitations as to displacement and armament prescribed by the present Treaty for vessels of a similar type which may be constructed by or for any of the Contracting Powers; provided, however, that the displacement for aircraft carriers constructed for a non-Contracting Power shall in no case exceed 27,000 tons (27,432 metric tons) standard displacement.

ARTICLE XVI

If the construction of any vessel of war for a non-Contracting Power is undertaken within the jurisdiction of any of the Contracting Powers, such Power shall promptly inform the other Contracting Powers of the date of the signing of the contract and the date on which the keel of the ship is laid; and shall also communicate to them the particulars relating to the ship prescribed in Chapter II, Part 3, Section I (b), (4) and (5).

ARTICLE XVII

In the event of a Contracting Power being engaged in war, such Power shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

ARTICLE XVIII

Each of the Contracting Powers undertakes not to dispose by gift, sale or any mode of transfer of any vessel of war in such a manner that such vessel may become a vessel of war in the Navy of any foreign Power.

ARTICLE XIX

The United States, the British Empire and Japan agree that the status quo at the time of the signing of the present Treaty, with regard to fortifications and naval bases, shall be maintained in their respective territories and possessions specified hereunder:

(1) The insular possessions which the United States now holds or may hereafter acquire in the Pacific Ocean, except (a) those adjacent to the coast of the United States, Alaska and the Panama Canal Zone, not including the Aleutian Islands, and (b) the Hawaiian Islands;

(2) Hongkong and the insular possessions which the British Empire now holds or may hereafter acquire in the Pacific Ocean, east of the meridian of 110° east longitude, except (a) those adjacent to the coast of Canada, (b) the Commonwealth of Australia and its Territories, and (c) New Zealand;

(3) The following insular territories and possessions of Japan in the Pacific Ocean, to wit: the Kurile Islands, the Bonin Islands, Amami-Oshima, the Loochoo Islands, Formosa and the Pescadores, and any insular territories or possessions in the Pacific Ocean which Japan may hereafter acquire.

The maintenance of the status quo under the foregoing provisions implies that no new fortifications or naval bases shall be established in the territories and possessions specified, that no measures shall be taken to increase the existing naval facilities for the repair and maintenance of naval forces, and that no increase shall be made in the coast defences of the territories and possessions above specified. This restriction, however, does not preclude such repair and replacement of worn-out weapons and equipment as is customary in naval and military establishments in time of peace.

ARTICLE XX

The rules for determining tonnage displacement prescribed in Chapter II, Part 4, shall apply to the ships of each of the Contracting Powers.

CHAPTER II

RULES RELATING TO THE EXECUTION OF THE TREATY—DEFINITION OF TERMS

PART 1

CAPITAL SHIPS WHICH MAY BE RETAINED BY THE CONTRACTING POWERS

In accordance with Article II ships may be retained by each of the Contracting Powers as specified in this Part.

Ships which may be retained by the United States

Name.	Tonnage.
Maryland.....	32,600
California.....	32,300
Tennessee.....	32,300
Idaho.....	32,000
New Mexico.....	32,000
Mississippi.....	32,000
Arizona.....	31,400
Pennsylvania.....	31,400
Oklahoma.....	27,500
Nevada.....	27,500
New York.....	27,000
Texas.....	27,000
Arkansas.....	26,000
Wyoming.....	26,000
Florida.....	21,825
Utah.....	21,825
North Dakota.....	20,000
Delaware.....	20,000
Total tonnage.....	500,650

On the completion of the two ships of the *West Virginia* class and the scrapping of the *North Dakota* and *Delaware*, as provided in Article II, the total tonnage to be retained by the United States will be 525,850 tons.

Ships which may be retained by the British Empire

Name.	Tonnage.
Royal Sovereign.....	25,750
Royal Oak.....	25,750
Revenge.....	25,750
Resolution.....	25,750
Ramillies.....	25,750
Malaya.....	27,500
Valiant.....	27,500
Barham.....	27,500
Queen Elizabeth.....	27,500
Warspite.....	27,500
Benbow.....	25,000
Emperor of India.....	25,000
Iron Duke.....	25,000
Marlborough.....	25,000
Hood.....	41,200
Renown.....	26,500
Repulse.....	26,500
Tiger.....	28,500
Thunderer.....	22,500
King George V.....	23,000
Ajax.....	23,000
Centurion.....	23,000
Total tonnage.....	580,450

On the completion of the two new ships to be constructed and the scrapping of the *Thunderer*, *King George V*, *Ajax* and *Centurion*, as provided in Article II, the total tonnage to be retained by the British Empire will be 558,950 tons.

Ships which may be retained by France

Name.	Tonnage (metric tons).
Bretagne.....	23,500
Lorraine.....	23,500
Provence.....	23,500
Paris.....	23,500
France.....	23,500
Jean Bart.....	23,500
Courbet.....	23,500
Condorcet.....	18,890
Diderot.....	18,890
Voltaire.....	18,890
Total tonnage.....	221,170

France may lay down new tonnage in the years 1927, 1929, and 1931, as provided in Part 3, Section II.

Ships which may be retained by Italy

Name.	Tonnage (metric tons).
Andrea Doria.....	22,700
Caio Duilio.....	22,700
Conte Di Cavour.....	22,500
Giulio Cesare.....	22,500
Leonardo Da Vinci.....	22,500
Dante Alighieri.....	19,500
Roma.....	12,600
Napoli.....	12,600
Vittorio Emanuele.....	12,600
Regina Elena.....	12,600
Total tonnage.....	182,800

Italy may lay down new tonnage in the years 1927, 1929, and 1931, as provided in Part 3, Section II.

Ships which may be retained by Japan

Name.	Tonnage.
Mutsu.....	33,800
Nagato.....	33,800
Hiuga.....	31,260
Ise.....	31,260
Yamashiro.....	30,600
Fu-So.....	30,600
Kirishima.....	27,500
Haruna.....	27,500
Hiyei.....	27,500
Kongo.....	27,500
Total tonnage.....	301,320

PART 2

RULES FOR SCRAPPING VESSELS OF WAR

The following rules shall be observed for the scrapping of vessels of war which are to be disposed of in accordance with Articles II and III:

I. A vessel to be scrapped must be placed in such condition that it cannot be put to combatant use.

II. This result must be finally effected in any one of the following ways:

- (a) Permanent sinking of the vessel;
- (b) Breaking the vessel up. This shall always involve the destruction or removal of all machinery, boilers and armour, and all deck, side and bottom plating;
- (c) Converting the vessel to target use exclusively. In such case all the provisions of paragraph III of this Part, except sub-paragraph (6), in so far as may be necessary to enable the ship to be used as a mobile target, and except sub-paragraph (7), must be previously complied with. Not more than one capital ship may be retained for this purpose at one time by any of the Contracting Powers.

(d) Of the capital ships which would otherwise be scrapped under the present Treaty in or after the year 1931, France and Italy may each retain two sea-going vessels for training purposes exclusively, that is, as gunnery or torpedo schools. The two vessels retained by France shall be of the *Jean Bart* class, and of those retained by Italy one shall be the *Dante Alighieri*, the other of the *Giulio Cesare* class. On retaining these ships for the purpose above stated, France and Italy respectively undertake to remove and destroy their conning-towers, and not to use the said ships as vessels of war.

III. (a) Subject to the special exceptions contained in Article IX, when a vessel is due for scrapping, the first stage of scrapping, which consists in rendering a ship incapable of further warlike service, shall be immediately undertaken.

(b) A vessel shall be considered incapable of further warlike service when there shall have been removed and landed, or else destroyed in the ship:

- (1) All guns and essential portions of guns, fire-control tops and revolving parts of all barbettes and turrets;
- (2) All machinery for working hydraulic or electric mountings;
- (3) All fire-control instruments and range-finders;
- (4) All ammunition, explosives and mines;
- (5) All torpedoes, war-heads and torpedo tubes;
- (6) All wireless telegraphy installations;
- (7) The conning tower and all side armour, or alternatively all main propelling machinery; and
- (8) All landing and flying-off platforms and all other aviation accessories.

IV. The periods in which scrapping of vessels is to be effected are as follows:

(a) In the case of vessels to be scrapped under the first paragraph of Article II, the work of rendering the vessels incapable of further warlike service, in accordance with paragraph III of this Part, shall be completed within six months from the coming into force of the present Treaty, and the scrapping shall be finally effected within eighteen months from such coming into force.

(b) In the case of vessels to be scrapped under the second and third paragraphs of Article II, or under Article III, the work of rendering the vessel incapable of further warlike service in accordance with paragraph III of this Part shall be commenced not later than the date of completion of its successor, and shall be finished within six months from the date of such completion. The vessel shall be finally scrapped, in accordance with paragraph II of this Part, within eighteen months from the date of completion of its successor. If, however, the completion of the new vessel be delayed, then the work of rendering the old vessel incapable of further warlike service in accordance with paragraph III of this Part shall be commenced within four years from the laying of the keel of the new vessel, and shall be finished within six months from the date on which such work was commenced, and the old vessel shall be finally scrapped in accordance with paragraph II of this Part within eighteen months from the date when the work of rendering it incapable of further warlike service was commenced.

PART 3

REPLACEMENT

The replacement of capital ships and aircraft carriers shall take place according to the rules in Section I and the tables in Section II of this Part.

SECTION I

RULES FOR REPLACEMENT

(a) Capital ships and aircraft carriers twenty years after the date of their completion may, except as otherwise provided in Article VIII and in the tables in Section II of this Part, be replaced by new construction, but within the limits prescribed in Article IV and Article VII. The keels of such new construction may, except as otherwise provided in Article VIII and in the tables in Section II of this Part, be laid down not earlier than seventeen years from the date of completion of the tonnage to be replaced, provided, however, that no capital ship tonnage, with the exception of the ships referred to in the third paragraph of Article II, and the replacement tonnage specifically mentioned in Section II of this Part, shall be laid down until ten years from November 12, 1921.

(b) Each of the Contracting Powers shall communicate promptly to each of the other Contracting Powers the following information:

(1) The names of the capital ships and aircraft carriers to be replaced by new construction;

(2) The date of governmental authorization of replacement tonnage;

(3) The date of laying the keels of replacement tonnage.

(4) The standard displacement in tons and metric tons of each new ship to be laid down, and the principal dimensions, namely, length at waterline, extreme beam at or below waterline, mean draft at standard displacement;

(5) The date of completion of each new ship and its standard displacement in tons and metric tons, and the principal dimensions, namely, length at waterline, extreme beam at or below waterline, mean draft at standard displacement, at time of completion.

(c) In case of loss or accidental destruction of capital ships or aircraft carriers, they may immediately be replaced by new construction subject to the tonnage limits prescribed in Articles IV and VII and in conformity with the other provisions of the present Treaty, the regular replacement program being deemed to be advanced to that extent.

(d) No retained capital ships or aircraft carriers shall be reconstructed except for the purpose of providing means of defense against air and submarine attack, and subject to the following rules: The Contracting Powers may, for that purpose, equip existing tonnage with bulge or blister or anti-air attack deck protection, providing the increase of displacement thus effected does not exceed 3,000 tons (3,048 metric tons) displacement for each ship. No alterations in side armor, in calibre, number or general type of mounting of main armament shall be permitted except:

(1) in the case of France and Italy, which countries within the limits allowed for bulge may increase their armor protection and the calibre of the guns now carried on their existing capital ships so as not to exceed 16 inches (406 millimeters) and

(2) the British Empire shall be permitted to complete, in the case of the *Renown*, the alterations to armor that have already been commenced but temporarily suspended.

SECTION II

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS
UNITED STATES

Year.	Ships laid down.	Ships completed.	Ships scrapped (age in parentheses).	Ships retained. Summary.	
				Pre-Jutland.	Post-Jutland.
			Maine (20), Missouri (20), Virginia (17), Nebraska (17), Georgia (17), New Jersey (17), Rhode Island (17), Connecticut (17), Louisiana (17), Vermont (16), Kansas (16), Minnesota (16), New Hampshire (15), South Carolina (13), Michigan (13), Washington (0), South Dakota (0), Indiana (0), Montana (0), North Carolina (0), Iowa (0), Massachusetts (0), Lexington (0), Constitution (0), Constellation (0), Saratoga (0), Ranger (0), United States (0).*	17	1
1922.....		A, B†.....	Delaware (12), North Dakota (12).....	15	3
1923.....				15	3
1924.....				15	3
1925.....				15	3
1926.....				15	3
1927.....				15	3
1928.....				15	3
1929.....				15	3
1930.....				15	3
1931.....	C, D.....			15	3
1932.....	E, F.....			15	3
1933.....	G.....			15	3
1934.....	H, I.....	C, D.....	Florida (23), Utah (23), Wyoming (22).....	12	5
1935.....	J.....	E, F.....	Arkansas (23), Texas (21), New York (21).....	9	7
1936.....	K, L.....	G.....	Nevada (20), Oklahoma (20).....	7	8
1937.....	M.....	H, I.....	Arizona (21), Pennsylvania (21).....	5	10
1938.....	N, O.....	J.....	Mississippi (21).....	4	11
1939.....	P, Q.....	K, L.....	New Mexico (21), Idaho (20).....	2	13
1940.....		M.....	Tennessee (20).....	1	14
1941.....		N, O.....	California (20), Maryland (20).....	0	15
1942.....		P, Q.....	2 ships West Virginia class.....	0	15

* The United States may retain the *Oregon* and *Illinois*, for noncombatant purposes, after complying with the provisions of Part 2, III, (b).

† Two West Virginia class.

NOTE.—A, B, C, D, etc., represent individual capital ships of 35,000 tons standard displacement, laid down and completed in the years specified.

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS—(continued)

BRITISH EMPIRE

Year.	Ships laid down.	Ships completed.	Ships scrapped (age in parentheses).	Ships retained. Summary.	
				Pre-Jutland.	Post-Jutland.
			Commonwealth (16), Agamemnon (13), Dreadnought (15), Bellerophon (12), St. Vincent (11), Indeflexible (13), Superb (12), Neptune (10), Hercules (10), Irdomitabile (13), Temeraire (12), New Zealand (9), Lion (9), Princess Royal (9), Conqueror (9), Monarch (9), Orion (9), Australia (8), Agincourt (7), Erin (7), 4 building or projected.*	21	1
1922.....	A, B†.....			21	1
1923.....				21	1
1924.....				21	1
1925.....		A, B.....	King George V (13), Ajax (12), Centurion (12), Thunderer (13).	17	3
1926.....				17	3
1927.....				17	3
1928.....				17	3
1929.....				17	3
1930.....				17	3
1931.....	C, D.....			17	3
1932.....	E, F.....			17	3
1933.....	G.....			17	3
1934.....	H, I.....	C, D.....	Iron Duke (20), Marlborough (20), Emperor of India (20), Benbow (20).	13	5
1935.....	J.....	E, F.....	Tiger (21), Queen Elizabeth (20), Warspite (20), Barham (20).	9	7
1936.....	K, L.....	G.....	Malaya (20), Royal Sovereign (20)	7	8
1937.....	M.....	H, I.....	Revenge (21), Resolution (21)	5	10
1938.....	N, O.....	J.....	Royal Oak (22)	4	11
1939.....	P, Q.....	K, L.....	Valiant (23), Repulse (23)	2	13
1940.....		M.....	Renown (24)	1	14
1941.....		N, O.....	Ramillies (24), Hood (21)	0	15
1942.....		P, Q.....	A (17), B (17)	0	15

* The British Empire may retain the *Colossus* and *Collingwood* for noncombatant purposes, after complying with the provisions of Part 2, III, (b).

† Two 35,000-tonships, standard displacement.

NOTE.—A, B, C, D, etc., represent individual capital ships of 35,000 tons standard displacement laid down and completed in the years specified.

FRANCE

Year.	Ships laid down.	Ships completed.	Ships scrapped (age in parentheses).	Ships retained. Summary.	
				Pre-Jutland.	Post-Jutland.
1922.....				7	0
1923.....				7	0
1924.....				7	0
1925.....				7	0
1926.....	35,000 tons			7	0
1927.....				7	0
1928.....	35,000 tons			7	0
1929.....	35,000 tons			7	0
1930.....		35,000 tons	Jean Bart (17), Courbet (17)	5	(*)
1931.....	35,000 tons			5	(*)
1932.....	35,000 tons	35,000 tons	France (18)	4	(*)
1933.....	35,000 tons			4	(*)
1934.....		35,000 tons	Paris (20), Bretagne (20)	2	(*)
1935.....		35,000 tons	Provence (20)	1	(*)
1936.....		35,000 tons	Lorraine (20)	0	(*)
1937.....				0	(*)
1938.....				0	(*)
1939.....				0	(*)
1940.....				0	(*)
1941.....				0	(*)
1942.....				0	(*)

* Within tonnage limitations; number not fixed.

NOTE.—France expressly reserves the right of employing the capital ship tonnage allotment as she may consider advisable, subject solely to the limitations that the displacement of individual ships should not surpass 35,000 tons, and that the total capital ship tonnage should keep within the limits imposed by the present Treaty.

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS—(continued)

ITALY

Year.	Ships laid down.	Ships completed.	Ships scrapped (age in parentheses).	Ships retained. Summary.	
				Pre-	Post-
				Jutland.	
1922.				6	0
1923.				6	0
1924.				6	0
1925.				6	0
1926.				6	0
1927.	35,000 tons			6	0
1928.				6	0
1929.	35,000 tons			6	0
1930.				6	0
1931.	35,000 tons	35,000 tons	Dante Alighieri (19)	5	(*)
1932.	45,000 tons			5	(*)
1933.	25,000 tons	35,000 tons	Leonardo da Vinci (19)	4	(*)
1934.				4	(*)
1935.		35,000 tons	Guilio Cesare (21)	3	(*)
1936.		45,000 tons	Conte di Cavour (21), Duilio (21)	1	(*)
1937.		25,000 tons	Andrea Doria (21)	0	(*)

* Within tonnage limitations; number not fixed.

NOTE.—Italy expressly reserves the right of employing the capital ship tonnage allotment as she may consider advisable, subject solely to the limitations that the displacement of individual ships should not surpass 35,000 tons, and the total capital ship tonnage should keep within the limits imposed by the present Treaty.

JAPAN

Year.	Ships laid down.	Ships completed.	Ships scrapped (age in parentheses).	Ships retained. Summary.	
				Pre-	Post-
				Jutland.	
			Hizen (20), Mikasa (20), Kashima (16), Katori (16), Satsuma (12), Aki (11), Settsu (10), Ikoma (14), Ibuki (12), Kurama (11), Amagi (0), Akagi (0), Kaga (0), Tosa (0), Takao (0), Atago (0). Projected program 8 ships not laid down.*	8	
1922.				8	2
1923.				8	2
1924.				8	2
1925.				8	2
1926.				8	2
1927.				8	2
1928.				8	2
1929.				8	2
1930.				8	2
1931.	A			8	2
1932.	B			8	2
1933.	C			8	2
1934.	D	A	Kongo (21)	7	3
1935.	E	B	Hiyei (21), Haruna (20)	5	4
1936.	F	C	Kirishima (21)	4	5
1937.	G	D	Fuso (22)	3	6
1938.	H	E	Yamashiro (21)	2	7
1939.	I	F	Ise (22)	1	8
1940.		G	Hiuga (22)	0	9
1941.		H	Nagato (21)	0	9
1942.		I	Mutsu (21)	0	9

* Japan may retain the *Shikishima* and *Asahi* for noncombatant purposes, after complying with the provisions of Part 2, III, (b).

NOTE.—A, B, C, D, etc., represent individual capital ships of 35,000 tons standard displacement, laid down and completed in the years specified.

NOTE APPLICABLE TO ALL THE TABLES IN SECTION II

The order above prescribed in which ships are to be scrapped is in accordance with their age. It is understood that when replacement begins according to the above tables the order of scrapping in the case of the ships of each of the Contracting Powers may be varied at its option; provided, however, that such Power shall scrap in each year the number of ships above stated.

PART 4

DEFINITIONS

For the purposes of the present Treaty, the following expressions are to be understood in the sense defined in this Part.

CAPITAL SHIP

A capital ship, in the case of ships hereafter built, is defined as a vessel of war, not an aircraft carrier, whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carries a gun with a calibre exceeding 8 inches (203 millimetres).

AIRCRAFT CARRIER

An aircraft carrier is defined as a vessel of war with a displacement in excess of 10,000 tons (10,160 metric tons) standard displacement designed for the specific and exclusive purpose of carrying aircraft. It must be so constructed that aircraft can be launched therefrom and landed thereon, and not designed and constructed for carrying a more powerful armament than that allowed to it under Article IX or Article X as the case may be.

STANDARD DISPLACEMENT

The standard displacement of a ship is the displacement of the ship complete, fully manned, engaged, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

The word "ton" in the present Treaty, except in the expression "metric tons," shall be understood to mean the ton of 2240 pounds (1016 kilos).

Vessels now completed shall retain their present ratings of displacement tonnage in accordance with their national system of measurement. However, a Power expressing displacement in metric tons shall be considered for the application of the present Treaty as owning only the equivalent displacement in tons of 2240 pounds.

A vessel completed hereafter shall be rated at its displacement tonnage when in the standard condition defined herein.

CHAPTER III

MISCELLANEOUS PROVISIONS

ARTICLE XXI

If during the term of the present Treaty the requirements of the national security of any Contracting Power in respect of naval defence are, in the opinion of that Power, materially affected by any change of circumstances, the Contracting Powers will, at the request of such Power, meet in conference with a view to the reconsideration of the provisions of the Treaty and its amendment by mutual agreement.

In view of possible technical and scientific developments, the United States, after consultation with the other Contracting Powers, shall arrange for a conference of all the Contracting Powers which shall convene as soon as possible after the expiration of eight years from the coming into force of the present Treaty to consider what changes, if any, in the Treaty may be necessary to meet such developments.

ARTICLE XXII

Whenever any Contracting Power shall become engaged in a war which in its opinion affects the naval defence of its national security, such Power may after notice to the other Contracting Powers suspend for the period of hostilities its obligations under the present Treaty other than those under Articles XIII and XVII, provided that such Power shall notify the other Contracting Powers that the emergency is of such a character as to require such suspension.

The remaining Contracting Powers shall in such case consult together with a view to agreement as to what temporary modifications if any should be made in the Treaty as between themselves. Should such consultation not produce agreement, duly made in accordance with the constitutional methods of the respective Powers, any one of said Contracting Powers may, by giving notice to the other Contracting Powers, suspend for the period of hostilities its obligations under the present Treaty, other than those under Articles XIII and XVII.

On the cessation of hostilities the Contracting Powers will meet in conference to consider what modifications, if any, should be made in the provisions of the present Treaty.

ARTICLE XXIII

The present Treaty shall remain in force until December 31st, 1936, and in case none of the Contracting Powers shall have given notice two years before that date of its intention to terminate the Treaty, it shall continue in force until the expiration of two years from the date on which notice of

termination shall be given by one of the Contracting Powers, whereupon the Treaty shall terminate as regards all the Contracting Powers. Such notice shall be communicated in writing to the Government of the United States, which shall immediately transmit a certified copy of the notification to the other Powers and inform them of the date on which it was received. The notice shall be deemed to have been given and shall take effect on that date. In the event of notice of termination being given by the Government of the United States, such notice shall be given to the diplomatic representatives at Washington of the other Contracting Powers, and the notice shall be deemed to have been given and shall take effect on the date of the communication made to the said diplomatic representatives.

Within one year of the date on which a notice of termination by any Power has taken effect, all the Contracting Powers shall meet in conference.

ARTICLE XXIV

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other Contracting Powers a certified copy of the procès-verbal of the deposit of ratifications.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington the sixth day of February, One Thousand Nine Hundred and Twenty-Two.

CHARLES EVANS HUGHES
HENRY CABOT LODGE
OSCAR W. UNDERWOOD
ELIHU ROOT
ARTHUR JAMES BALFOUR
LEE OF FAREHAM
A. C. GEDDES
R. L. BORDEN
G. F. PEARCE
JOHN W. SALMOND

ARTHUR JAMES BALFOUR
V. S. SRINIVASA SASTRI
A. SARRAUT
JUSSERAND
CARLO SCHANZER
V. ROLANDI RICCI
LUIGI ALBERTINI
T. KATO
K. SHIDEHARA
M. HANIHARA

(2) A TREATY BETWEEN THE SAME POWERS, IN RELATION TO THE USE OF
SUBMARINES AND NOXIOUS GASES IN WARFARE

February 6, 1922

The United States of America, the British Empire, France, Italy and Japan, hereinafter referred to as the Signatory Powers, desiring to make more effective the rules adopted by civilized nations for the protection of the lives of neutrals and noncombatants at sea in time of war, and to prevent the use in war of noxious gases and chemicals, have determined to conclude a Treaty to this effect, and have appointed as their Plenipotentiaries:

The President of the United States of America:

Charles Evans Hughes,
Henry Cabot Lodge,
Oscar W. Underwood,
Elihu Root,

citizens of the United States;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India;

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;

The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

and for the Dominion of Canada:

The Right Honourable Sir Robert Laird Borden, G. C. M. G., K. C.;
for the Commonwealth of Australia:

Senator, the Right Honourable George Foster Pearce, Minister for Home and Territories;

for the Dominion of New Zealand:

The Honourable Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;

for the Union of South Africa:

The Right Honourable Arthur James Balfour, O. M., M. P.;
for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri,
Member of the Indian Council of State;

The President of the French Republic:

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the King of Italy:

The Honourable Carlo Schanzer, Senator of the Kingdom;

The Honourable Vittorio Rolandi Ricci, Senator of the Kingdom, His Ambassador Extraordinary and Plenipotentiary at Washington;

The Honourable Luigi Albertini, Senator of the Kingdom;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Who, having communicated their Full Powers, found in good and due form, have agreed as follows:

ARTICLE I

The Signatory Powers declare that among the rules adopted by civilized nations for the protection of the lives of neutrals and noncombatants at sea in time of war, the following are to be deemed an established part of international law;

(1) A merchant vessel must be ordered to submit to visit and search to determine its character before it can be seized.

A merchant vessel must not be attacked unless it refuse to submit to visit and search after warning, or to proceed as directed after seizure.

A merchant vessel must not be destroyed unless the crew and passengers have been first placed in safety.

(2) Belligerent submarines are not under any circumstances exempt from universal rules above stated; and if a submarine can not capture a merchant vessel in conformity with these rules the existing law of nations requires it to desist from attack and from seizure and to permit the merchant vessel to proceed unmolested.

ARTICLE II

The Signatory Powers invite all other civilized Powers to express their assent to the foregoing statement of established law so that there may be a clear public understanding throughout the world of the standards of conduct by which the public opinion of the world is to pass judgment upon future belligerents.

ARTICLE III

The Signatory Powers, desiring to insure the enforcement of the humane rules of existing law declared by them with respect to attacks upon and the seizure and destruction of merchant ships, further declare that any person in

the service of any Power who shall violate any of those rules, whether or not such person is under orders of a governmental superior, shall be deemed to have violated the laws of war and shall be liable to trial and punishment as if for an act of piracy and may be brought to trial before the civil or military authorities of any Power within the jurisdiction of which he may be found.

ARTICLE IV

The Signatory Powers recognize the practical impossibility of using submarines as commerce destroyers without violating, as they were violated in the recent war of 1914-1918, the requirements universally accepted by civilized nations for the protection of the lives of neutrals and noncombatants, and to the end that the prohibition of the use of submarines as commerce destroyers shall be universally accepted as a part of the law of nations they now accept that prohibition as henceforth binding as between themselves and they invite all other nations to adhere thereto.

ARTICLE V

The use in war of asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices, having been justly condemned by the general opinion of the civilized world and a prohibition of such use having been declared in treaties to which a majority of the civilized Powers are parties,

The Signatory Powers, to the end that this prohibition shall be universally accepted as a part of international law binding alike the conscience and practice of nations, declare their assent to such prohibition, agree to be bound thereby as between themselves and invite all other civilized nations to adhere thereto.

ARTICLE VI

The present Treaty shall be ratified as soon as possible in accordance with the constitutional methods of the Signatory Powers and shall take effect on the deposit of all the ratifications, which shall take place at Washington.

The Government of the United States will transmit to all the Signatory Powers a certified copy of the procès-verbal of the deposit of ratifications.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the Archives of the Government of the United States and duly certified copies thereof will be transmitted by that Government to each of the Signatory Powers.

ARTICLE VII

The Government of the United States will further transmit to each of the Non-Signatory Powers a duly certified copy of the present Treaty and invite its adherence thereto.

Any Non-Signatory Power may adhere to the present Treaty by communicating an Instrument of Adherence to the Government of the United

States, which will thereupon transmit to each of the Signatory and Adhering Powers a certified copy of each Instrument of Adherence.

In faith whereof, the above named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington, the sixth day of February, one thousand nine hundred and twenty-two.

[L. S.]	CHARLES EVANS HUGHES	
[L. S.]	HENRY CABOT LODGE	
[L. S.]	OSCAR W. UNDERWOOD	
[L. S.]	ELIHU ROOT	
[L. S.]	ARTHUR JAMES BALFOUR	
[L. S.]	LEE OF FAREHAM	
[L. S.]	A. C. GEDDES	
	R. L. BORDEN	[L. S.]
	G. F. PEARCE	[L. S.]
	JOHN W. SALMOND	[L. S.]
	ARTHUR JAMES BALFOUR	[L. S.]
	V. S. SRINIVASA SASTRI	[L. S.]
	A. SARRAUT	[L. S.]
	JUSSERAND	[L. S.]
	CARLO SCHANZER	[L. S.]
[L. S.]	V. ROLANDI RICCI	
[L. S.]	LUIGI ALBERTINI	
[L. S.]	T. KATO	
[L. S.]	K. SHIDEHARA	
[L. S.]	M. HANIHARA	

(3) A TREATY BETWEEN THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE, AND JAPAN, SIGNED DECEMBER 13, 1921, RELATING TO THEIR INSULAR POSSESSIONS AND INSULAR DOMINIONS IN THE PACIFIC OCEAN

December 13, 1921

The United States of America, the British Empire, France and Japan,
With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean,

Have determined to conclude a Treaty to this effect and have appointed as their Plenipotentiaries:

The President of the United States of America:

Charles Evans Hughes,

Henry Cabot Lodge,

Oscar W. Underwood and

Elihu Root, citizens of the United States;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;

The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

And for the Dominion of Canada:

The Right Honourable Robert Laird Borden, G. C. M. G., K. C.;

for the Commonwealth of Australia:

The Honourable George Foster Pearce, Minister of Defence;

for the Dominion of New Zealand:

Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;

for the Union of South Africa:

The Right Honourable Arthur James Balfour, O. M., M. P.;

for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;

The President of the French Republic:

Mr. René Viviani, Deputy, Former President of the Council of Ministers;

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulowna Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Prince Iyesato Tokugawa, Junii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice-Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Who, having communicated their Full Powers, found in good and due form, have agreed as follows:

I

The High Contracting Parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

If there should develop between any of the High Contracting Parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other High Contracting Parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

II

If the said rights are threatened by the aggressive action of any other Power, the High Contracting Parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

III

This Treaty shall remain in force for ten years from the time it shall take effect, and after the expiration of said period it shall continue to be in force subject to the right of any of the High Contracting Parties to terminate it upon twelve months' notice.

IV

This Treaty shall be ratified as soon as possible in accordance with the constitutional methods of the High Contracting Parties and shall take effect on the deposit of ratifications, which shall take place at Washington, and thereupon the agreement between Great Britain and Japan, which was concluded at London on July 13, 1911, shall terminate. The Government of the United States will transmit to all the Signatory Powers a certified copy of the *proces-verbal* of the deposit of ratifications.

The present Treaty, in French and in English, shall remain deposited in the Archives of the Government of the United States, and duly certified copies thereof will be transmitted by that Government to each of the Signatory Powers.

In faith whereof the above named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington, the thirteenth day of December, One Thousand Nine Hundred and Twenty-One.

CHARLES EVANS HUGHES [L. S.]	[L. S.] A. M. JAMES BALFOUR
HENRY CABOT LODGE [L. S.]	[L. S.] V. S. SRINIVASA SASTRI
OSCAR W. UNDERWOOD [L. S.]	[L. S.] RENÉ VIVIANI
ELIHU ROOT [L. S.]	[L. S.] A. SARRAUT
A. M. JAMES BALFOUR [L. S.]	[L. S.] JUSSE RAND
LEE OF FAREHAM [L. S.]	[L. S.] T. KATO
A. C. GEDDES [L. S.]	[L. S.] K. SHIDEHARA
[L. S.] R. L. BORDEN	[L. S.] TOKUGAWA IYESATO
[L. S.] G. F. PEARCE	[L. S.] M. HANIHARA
[L. S.] JOHN W. SALMOND	

(4) DECLARATION ACCOMPANYING THE ABOVE FOUR-POWER TREATY

December 13, 1921

In signing the Treaty this day between The United States of America, The British Empire, France and Japan, it is declared to be the understanding and intent of the Signatory Powers:

1. That the Treaty shall apply to the Mandated Islands in the Pacific Ocean; provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of The United States of America to the mandates and shall not preclude agreements between The United States of America and the Mandatory Powers respectively in relation to the mandated islands.

2. That the controversies to which the second paragraph of Article I refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers.

Washington, D. C., December 13, 1921.

CHARLES EVANS HUGHES
HENRY CABOT LODGE
OSCAR W. UNDERWOOD
ELIHU ROOT
A. M. JAMES BALFOUR
LEE OF FAREHAM
A. C. GEDDES
R. L. BORDEN
G. F. PEARCE
JOHN W. SALMOND
A. M. JAMES BALFOUR
V. S. SRINIVASA SASTRI
RENÉ VIVIANI
A. SARRAUT
JUSSERAND
T. KATO
K. SHIDEHARA
TOKUGAWA IYESATO
M. HANIHARA

(5) A TREATY BETWEEN THE SAME FOUR POWERS, SUPPLEMENTARY TO THE
ABOVE, SIGNED FEBRUARY 6, 1922

February 6, 1922

The United States of America, the British Empire, France and Japan have, through their respective Plenipotentiaries, agreed upon the following stipulations supplementary to the Quadruple Treaty signed at Washington on December 13, 1921:

The term "insular possessions and insular dominions" used in the aforesaid Treaty shall, in its application to Japan, include only Karafuto (or the Southern portion of the island of Sakhalin), Formosa and the Pescadores, and the islands under the mandate of Japan.

The present agreement shall have the same force and effect as the said Treaty to which it is supplementary.

The provisions of Article IV of the aforesaid Treaty of December 13, 1921, relating to ratification shall be applicable to the present Agreement, which in French and English shall remain deposited in the Archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to each of the other Contracting Powers.

In faith whereof the respective Plenipotentiaries have signed the present Agreement.

Done at the City of Washington, the sixth day of February, One Thousand Nine Hundred and Twenty-two.

	CHARLES EVANS HUGHES	[L. S.]
	HENRY CABOT LODGE	[L. S.]
	OSCAR W. UNDERWOOD	[L. S.]
[L. S.]	ELIHU ROOT	
[L. S.]	ARTHUR JAMES BALFOUR	
[L. S.]	LEE OF FAREHAM	
[L. S.]	A. C. GEDDES	
[L. S.]	R. L. BORDEN	
[L. S.]	G. F. PEARCE	
[L. S.]	JOHN W. SALMOND	
[L. S.]	ARTHUR JAMES BALFOUR	
[L. S.]	V. S. SRINIVASA SASTRI	
	A. SARRAUT	[L. S.]
	JUSSERAND	[L. S.]
	T. KATO	[L. S.]
	K. SHIDEHARA	[L. S.]
	M. HANIHARA	[L. S.]

(6) A TREATY BETWEEN ALL NINE POWERS RELATING TO PRINCIPLES AND POLICIES TO BE FOLLOWED IN MATTERS CONCERNING CHINA

February 6, 1922

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal;

Desiring to adopt a policy designed to stabilize conditions in the Far East, to safeguard the rights and interests of China, and to promote intercourse between China and the other Powers upon the basis of equality of opportunity;

Have resolved to conclude a treaty for that purpose and to that end have appointed as their respective Plenipotentiaries;

The President of the United States of America:

Charles Evans Hughes,

Henry Cabot Lodge,

Oscar W. Underwood,

Elihu Root,

citizens of the United States.

• His Majesty the King of the Belgians:

Baron de Cartier de Marchienne, Commander of the Order of Leopold and of the Order of the Crown, His Ambassador Extraordinary and Plenipotentiary at Washington;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;

The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

and for the Dominion of Canada:

The Right Honourable Sir Robert Laird Borden, G. C. M. G., K. C.;

for the Commonwealth of Australia:

Senator the Right Honourable George Foster Pearce, Minister for Home and Territories;

for the Dominion of New Zealand:

The Honourable Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;

for the Union of South Africa;

The Right Honourable Arthur James Balfour, O. M., M. P.;

for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;

The President of the Republic of China:

Mr. Sao-Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. V. K. Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary at London;

Mr. Chung-Hui Wang, former Minister of Justice.

The President of the French Republic:

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the King of Italy:

The Honourable Carlo Schanzer, Senator of the Kingdom;

The Honourable Vittorio Rolandi Ricci, Senator of the Kingdom, His Ambassador Extraordinary and Plenipotentiary at Washington;

The Honourable Luigi Albertini, Senator of the Kingdom;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Her Majesty the Queen of The Netherlands:

Jonkheer Frans Beelaerts van Blokland, Her Envoy Extraordinary and Minister Plenipotentiary;

Jonkheer Willem Hendrik de Beaufort, Minister Plenipotentiary, Chargé d'Affaires at Washington;

The President of the Portuguese Republic:

Mr. José Francisco de Horta Machado da Franca, Viscount d'Alte, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. Ernesto Julio de Carvalho e Vasconcelos, Captain of the Portuguese Navy, Technical Director of the Colonial Office.

Who, having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I

The Contracting Powers, other than China, agree:

(1) To respect the sovereignty, the independence, and the territorial and administrative integrity of China;

(2) To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government;

(3) To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China;

(4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

ARTICLE II

The Contracting Powers agree not to enter into any treaty, agreement, arrangement, or understanding, either with one another, or, individually or

collectively, with any Power or Powers, which would infringe or impair the principles stated in Article I.

ARTICLE III

With a view to applying more effectually the principles of the Open Door or equality of opportunity in China for the trade and industry of all nations, the Contracting Powers, other than China, agree that they will not seek, nor support their respective nationals in seeking.

(a) any arrangement which might purport to establish in favour of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China;

(b) any such monopoly or preference as would deprive the nationals of any other Power of the right of undertaking any legitimate trade or industry in China, or of participating with the Chinese Government, or with any local authority, in any category of public enterprise, or which by reason of its scope, duration or geographical extent is calculated to frustrate the practical application of the principle of equal opportunity.

It is understood that the foregoing stipulations of this Article are not to be so construed as to prohibit the acquisition of such properties or rights as may be necessary to the conduct of a particular commercial, industrial, or financial undertaking or to the encouragement of invention and research.

China undertakes to be guided by the principles stated in the foregoing stipulations of this Article in dealing with applications for economic rights and privileges from Governments and nationals of all foreign countries, whether parties to the present Treaty or not.

ARTICLE IV

The Contracting Powers agree not to support any agreements by their respective nationals with each other designed to create Spheres of Influence or to provide for the enjoyment of mutually exclusive opportunities in designated parts of Chinese territory.

ARTICLE V

China agrees that, throughout the whole of the railways in China, she will not exercise or permit unfair discrimination of any kind. In particular there shall be no discrimination whatever, direct or indirect, in respect of charges or of facilities on the ground of the nationality of passengers or the countries from which or to which they are proceeding, or the origin or ownership of goods or the country from which or to which they are consigned, or the nationality or ownership of the ship or other means of conveying such passengers or goods before or after their transport on the Chinese Railways.

The Contracting Powers, other than China, assume a corresponding obligation in respect of any of the aforesaid railways over which they or their

nationals are in a position to exercise any control in virtue of any concession, special agreement or otherwise.

ARTICLE VI

The Contracting Powers, other than China, agree fully to respect China's rights as a neutral in time of war to which China is not a party; and China declares that when she is a neutral she will observe the obligations of neutrality.

ARTICLE VII

The Contracting Powers agree that, whenever a situation arises which in the opinion of any one of them involves the application of the stipulations of the present Treaty, and renders desirable discussion of such application, there shall be full and frank communication between the Contracting Powers concerned.

ARTICLE VIII

Powers not signatory to the present Treaty, which have Governments recognized by the Signatory Powers and which have treaty relations with China, shall be invited to adhere to the present Treaty. To this end the Government of the United States will make the necessary communications to nonsignatory Powers and will inform the Contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

ARTICLE IX

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other Contracting Powers a certified copy of the procès-verbal of the deposit of ratifications.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington the Sixth day of February One Thousand Nine Hundred and Twenty-Two.

CHARLES EVANS HUGHES	[L. S.]
HENRY CABOT LODGE	[L. S.]
OSCAR W. UNDERWOOD	[L. S.]
ELIHU ROOT	[L. S.]
BARON DE CARTIER DE MARCHIENNE	[L. S.]

	ARTHUR JAMES BALFOUR	[L. S.]
	LEE OF FAREHAM	[L. S.]
	A. C. GEDDES	[L. S.]
	R. L. BORDEN	[L. S.]
	G. F. PEARCE	[L. S.]
	JOHN W. SALMOND	[L. S.]
	ARTHUR JAMES BALFOUR	[L. S.]
	V. S. SRINIVASA SASTRI	[L. S.]
[L. S.]	SAO-KE ALFRED SZE	
[L. S.]	V. K. WELLINGTON KOO	
[L. S.]	CHUNG-HUI WANG	
[L. S.]	A. SARRAUT	
[L. S.]	JUSSERAND	
[L. S.]	CARLO SCHANZER	
[L. S.]	V. ROLANDI RICCI	
[L. S.]	LUIGI ALBERTINI	
	T. KATO	[L. S.]
	K. SHIDEHARA	[L. S.]
	M. HANIHARA	[L. S.]
	BEELAERTS VAN BLOKLAND	[L. S.]
	W. DE BEAUFORT	[L. S.]
	ALTE	[L. S.]
	ERNESTO DE VASCONCELLOS	[L. S.]

(7) A TREATY BETWEEN THE NINE POWERS RELATING TO CHINESE CUSTOMS
TARIFF

February 6, 1922

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands and Portugal:

With a view to increasing the revenues of the Chinese Government, have resolved to conclude a Treaty relating to the revision of the Chinese customs tariff and cognate matters, and to that end have appointed as their Plenipotentiaries.

The President of the United States of America:

Charles Evans Hughes,
Henry Cabot Lodge,
Oscar W. Underwood,
Elihu Root,

citizens of the United States;

His Majesty the King of the Belgians:

Baron de Cartier de Marchienne, Commander of the Order of Leopold
and of the Order of the Crown, His Ambassador Extraordinary and
Plenipotentiary at Washington;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;

The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

and for the Dominion of Canada:

The Right Honourable Sir Robert Laird Borden, G. C. M. G., K. C.;
for the Commonwealth of Australia:

Senator the Right Honourable George Foster Pearce, Minister for Home and Territories;

for the Dominion of New Zealand:

The Honourable Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;

for the Union of South Africa:

The Right Honourable Arthur James Balfour, O. M., M. P.;

for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;

The President of the Republic of China:

Mr. Sao-Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. V. K. Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary at London;

Mr. Chung-Hui Wang, former Minister of Justice;

The President of the French Republic:

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the King of Italy:

The Honourable Carlo Schanzer, Senator of the Kingdom;

The Honourable Vittorio Rolandi Ricci, Senator of the Kingdom. His Ambassador Extraordinary and Plenipotentiary at Washington;

The Honourable Luigi Albertini, Senator of the Kingdom;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Her Majesty the Queen of The Netherlands:

Jonkheer Frans Beelaerts van Blokland, Her Envoy Extraordinary and Minister Plenipotentiary;

Jonkheer Willem Hendrik de Beaufort, Minister Plenipotentiary, Chargé d'Affaires at Washington;

The President of the Portuguese Republic.

Mr. José Francisco de Horta Machado da Franca, Viscount d'Alte, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. Ernesto Julio de Carvalho e Vasconcellos, Captain of the Portuguese Navy, Technical Director of the Colonial Office;

Who, having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I

The representatives of the Contracting Powers having adopted, on the fourth day of February, 1922, in the City of Washington, a Resolution, which is appended as an Annex to this Article, with respect to the revision of Chinese Customs duties, for the purpose of making such duties equivalent to an effective 5 per centum *ad valorem*, in accordance with existing treaties concluded by China with other nations, the Contracting Powers hereby confirm the said Resolution and undertake to accept the tariff rates fixed as a result of such revision. The said tariff rates shall become effective as soon as possible but not earlier than two months after publication thereof.

ANNEX

With a view to providing additional revenue to meet the needs of the Chinese Government, the Powers represented at this Conference, namely the United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal agree:

That the customs schedule of duties on imports into China adopted by the Tariff Revision Commission at Shanghai on December 19, 1918, shall forthwith be revised so that the rates of duty shall be equivalent to 5 per cent. effective, as provided for in the several commercial treaties to which China is a party.

A Revision Commission shall meet at Shanghai, at the earliest practicable date, to effect this revision forthwith and on the general lines of the last revision.

This Commission shall be composed of representatives of the Powers above named and of representatives of any additional Powers having Governments at present recognized by the Powers represented at this Conference and who have treaties with China providing for a tariff on imports

and exports not to exceed 5 per cent. *ad valorem* and who desire to participate therein.

The revision shall proceed as rapidly as possible with a view to its completion within four months from the date of the adoption of this Resolution by the Conference on the Limitation of Armament and Pacific and Far Eastern Questions.

The revised tariff shall become effective as soon as possible but not earlier than two months after its publication by the Revision Commission.

The Government of the United States, as convener of the present Conference, is requested forthwith to communicate the terms of this Resolution to the Governments of Powers not represented at this Conference but who participated in the Revision of 1918, aforesaid.

ARTICLE II

Immediate steps shall be taken, through a Special Conference, to prepare the way for the speedy abolition of likin and for the fulfillment of the other conditions laid down in Article VIII of the Treaty of September 5th, 1902, between Great Britain and China, in Articles IV and V of the Treaty of October 8th, 1903, between the United States and China, and in Article I of the Supplementary Treaty of October 8th, 1903, between Japan and China, with a view to levying the surtaxes provided for in those articles.

The Special Conference shall be composed of representatives of the Signatory Powers, and of such other Powers as may desire to participate and may adhere to the present Treaty, in accordance with the provisions of Article VIII, in sufficient time to allow their representatives to take part. It shall meet in China within three months after the coming into force of the present Treaty, on a day and at a place to be designated by the Chinese Government.

ARTICLE III

The Special Conference provided for in Article II shall consider the interim provisions to be applied prior to the abolition of likin and the fulfillment of the other conditions laid down in the articles of the treaties mentioned in Article II; and it shall authorize the levying of a surtax on dutiable imports as from such date, for such purposes, and subject to such conditions as it may determine.

The surtax shall be at a uniform rate of 2½ per centum *ad valorem*, provided, that in case of certain articles of luxury which, in the opinion of the Special Conference, can bear a greater increase without unduly impeding trade, the total surtax may be increased but may not exceed 5 per centum *ad valorem*.

ARTICLE IV

Following the immediate revision of the customs schedule of duties on imports into China, mentioned in Article I, there shall be a further revision thereof to take effect at the expiration of four years following the completion

of the aforesaid immediate revision, in order to ensure that the customs duties shall correspond to the *ad valorem* rates fixed by the Special Conference provided for in Article II.

Following this further revision there shall be, for the same purpose, periodical revisions of the customs schedule of duties on imports into China every seven years, in lieu of the decennial revision authorized by existing treaties with China.

In order to prevent delay, any revision made in pursuance of this Article shall be effected in accordance with rules to be prescribed by the Special Conference provided for in Article II.

ARTICLE V

In all matters relating to customs duties there shall be effective equality of treatment and opportunity for all the Contracting Powers.

ARTICLE VI

The principle of uniformity in the rates of customs duties levied at all the land and maritime frontiers of China is hereby recognized. The Special Conference provided for in Article II shall make arrangements to give practical effect to this principle; and it is authorized to make equitable adjustments in those cases in which a customs privilege to be abolished was granted in return for some local economic advantage.

In the meantime, any increase in the rates of customs duties resulting from tariff revision, or any surtax hereafter imposed in pursuance of the present Treaty, shall be levied at a uniform rate *ad valorem* at all land and maritime frontiers of China.

ARTICLE VII

The charge for transit passes shall be at the rate of $2\frac{1}{2}$ per centum *ad valorem* until the arrangements provided for by Article II come into force.

ARTICLE VIII

Powers not signatory to the present Treaty whose Governments are at present recognized by the Signatory Powers, and whose present treaties with China provide for a tariff on imports and exports not to exceed 5 per centum *ad valorem*, shall be invited to adhere to the present Treaty.

The Government of the United States undertakes to make the necessary communications for this purpose and to inform the Governments of the Contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

ARTICLE IX

The provisions of the present Treaty shall override all stipulations of treaties between China and the respective Contracting Powers which are

inconsistent therewith, other than stipulations according most favored nation treatment.

ARTICLE X

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other Contracting Powers a certified copy of the procès-verbal of the deposit of ratifications.

The present Treaty, of which the English and French texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington the sixth day of February, One Thousand Nine Hundred and Twenty-two.

NO. 1. RESOLUTION FOR A COMMISSION OF JURISTS TO CONSIDER AMENDMENT OF LAWS OF WAR

February 4, 1922

The United States of America, the British Empire, France, Italy and Japan have agreed:—

I. That a Commission composed of not more than two members representing each of the above-mentioned Powers shall be constituted to consider the following questions:—

(a) Do existing rules of International Law adequately cover new methods of attack or defense resulting from the introduction or development, since the Hague Conference of 1907, of new agencies of warfare?

(b) If not so, what changes in the existing rules ought to be adopted in consequence thereof as a part of the law of nations?

II. That notices of appointment of the members of the Commission shall be transmitted to the Government of the United States of America within three months after the adjournment of the present Conference, which after consultation with the Powers concerned will fix the day and place for the meeting of the Commission.

III. That the Commission shall be at liberty to request assistance and advice from experts in International Law and in land, naval and aerial warfare.

IV. That the Commission shall report its conclusions to each of the Powers represented in its membership.

Those Powers shall thereupon confer as to the acceptance of the report and the course to be followed to secure the consideration of its recommendations by the other civilized Powers.

Adopted by the Conference on the Limitation of Armament, at the Sixth Plenary Session, February 4th, 1922.

NO. 2. RESOLUTION LIMITING JURISDICTION OF COMMISSION OF JURISTS
PROVIDED IN RESOLUTION NO. 1

February 4, 1922

Resolved, That it is not the intention of the Powers agreeing to the appointment of a Commission to consider and report upon the rules of International Law respecting new agencies of warfare that the Commission shall review or report upon the rules or declarations relating to submarines or the use of noxious gases and chemicals already adopted by the Powers in this conference.

Adopted by the Conference on the Limitation of Armament at the Sixth Plenary Session, February 4th, 1922.

NO. 3. RESOLUTION REGARDING A BOARD OF REFERENCE FOR FAR EASTERN
QUESTIONS

February 4, 1922

The representatives of the Powers assembled at the present Conference at Washington, to wit;

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands and Portugal:

Desiring to provide a procedure for dealing with questions that may arise in connection with the execution of the provisions of Articles III and V of the Treaty to be signed at Washington on February 6th, 1922, with reference to their general policy designed to stabilize conditions in the Far East, to safeguard the rights and interests of China, and to promote intercourse between China and the other Powers upon the basis of equality of opportunity;

Resolve that there shall be established in China a Board of Reference to which any questions arising in connection with the execution of the aforesaid Articles may be referred for investigation and report.

The Special Conference provided for in Article II of the Treaty to be signed at Washington on February 6th, 1922, with reference to the Chinese Customs Tariff, shall formulate for the approval of the Powers concerned a detailed plan for the constitution of the Board.

Adopted by the Conference on the Limitation of Armament at the Sixth Plenary Session February 4, 1922.

NO. 4. RESOLUTION REGARDING EXTRATERRITORIALITY IN CHINA

December 10, 1921

The representatives of the Powers hereinafter named, participating in the discussion of Pacific and Far Eastern questions in the Conference on the Limitation of Armament, to wit, the United States of America, Belgium, the British Empire, France, Italy, Japan, the Netherlands, and Portugal,—

Having taken note of the fact that in the Treaty between Great Britain and China dated September 5, 1902, in the Treaty between the United States of America and China dated October 8, 1903, and in the Treaty between Japan and China dated October 8, 1903, these several Powers have agreed to give every assistance towards the attainment by the Chinese Government of its expressed desire to reform its judicial system and to bring it into accord with that of Western nations, and have declared that they are also "prepared to relinquish extraterritorial rights when satisfied that the state of the Chinese laws, the arrangements for their administration, and other considerations warrant" them in so doing;

Being sympathetically disposed towards furthering in this regard the aspiration to which the Chinese delegation gave expression on November 16, 1921, to the effect that "immediately, or as soon as circumstances will permit, existing limitations upon China's political, jurisdictional and administrative freedom of action are to be removed";

Considering that any determination in regard to such action as might be appropriate to this end must depend upon the ascertainment and appreciation of complicated states of fact in regard to the laws and the judicial system and the methods of judicial administration of China, which this Conference is not in a position to determine;

Have resolved

That the Governments of the Powers above named shall establish a Commission (to which each of such Governments shall appoint one member) to inquire into the present practice of extraterritorial jurisdiction in China, and into the laws and the judicial system and the methods of judicial administration of China, with a view to reporting to the Governments of the several Powers above named their findings of fact in regard to these matters, and their recommendations as to such means as they may find suitable to improve the existing conditions of the administration of justice in China, and to assist and further the efforts of the Chinese Government to effect such legislation and judicial reforms as would warrant the several Powers in relinquishing, either progressively or otherwise, their respective rights of extraterritoriality;

That the Commission herein contemplated shall be constituted within three months after the adjournment of the Conference in accordance with detailed arrangements to be hereafter agreed upon by the Governments of

the Powers above named, and shall be instructed to submit its report and recommendations within one year after the first meeting of the Commission;

That each of the Powers above named shall be deemed free to accept or to reject all or any portion of the recommendations of the Commission herein contemplated, but that in no case shall any of the said Powers make its acceptance of all or any portion of such recommendations either directly or indirectly dependent on the granting by China of any special concession, favor, benefit or immunity, whether political or economic.

ADDITIONAL RESOLUTION

That the non-signatory Powers, having by treaty extraterritorial rights in China, may accede to the resolution affecting extraterritoriality and the administration of justice in China by depositing within three months after the adjournment of the Conference a written notice of accession with the Government of the United States for communication by it to each of the signatory Powers.

ADDITIONAL RESOLUTION

That China, having taken note of the resolutions affecting the establishment of a Commission to investigate and report upon extraterritoriality and the administration of justice in China, expresses its satisfaction with the sympathetic disposition of the Powers hereinbefore named in regard to the aspiration of the Chinese Government to secure the abolition of extraterritoriality in China, and declares its intention to appoint a representative who shall have the right to sit as a member of the said Commission, it being understood that China shall be deemed free to accept or to reject any or all of the recommendations of the Commission. Furthermore, China is prepared to cooperate in the work of this Commission and to afford to it every possible facility for the successful accomplishment of its tasks.

Adopted by the Conference on the Limitation of Armament at the Fourth Plenary Session, December 10, 1921.

NO. 5. RESOLUTION REGARDING FOREIGN POSTAL AGENCIES IN CHINA

February 1, 1922

A. Recognizing the justice of the desire expressed by the Chinese Government to secure the abolition of foreign postal agencies in China, save or except in leased territories or as otherwise specifically provided by treaty, it is resolved:

(1) The four Powers having such postal agencies agree to their abandonment subject to the following conditions:

- (a) That an efficient Chinese postal service is maintained;
- (b) That an assurance is given by the Chinese Government that they contemplate no change in the present postal administration so far as the status of the foreign Co-Director General is concerned.

(2) To enable China and the Powers concerned to make the necessary dispositions, this arrangement shall come into force and effect not later than January 1, 1923.

B. Pending the complete withdrawal of foreign postal agencies, the four Powers concerned severally undertake to afford full facilities to the Chinese customs authorities to examine in those agencies all postal matter (excepting ordinary letters, whether registered or not, which upon external examination appear plainly to contain only written matter) passing through them, with a view to ascertaining whether they contain articles which are dutiable or contraband or which otherwise contravene the customs regulations or laws of China.

Adopted by the Conference of the Limitation of Armament at the Fifth Plenary Session February 1st, 1922.

NO. 6. RESOLUTION REGARDING ARMED FORCES IN CHINA

February 1, 1922

Whereas

The Powers have from time to time stationed armed forces, including police and railway guards, in China to protect the lives and property of foreigners lawfully in China;

And whereas

It appears that certain of these armed forces are maintained in China without the authority of any treaty or agreement;

And whereas

The Powers have declared their intention to withdraw their armed forces now on duty in China without the authority of any treaty or agreement, whenever China shall assure the protection of the lives and property of foreigners in China;

And whereas

China has declared her intention and capacity to assure the protection of the lives and property of foreigners in China;

Now

To the end that there may be clear understanding of the conditions upon which in each case the practical execution of those intentions must depend; It is resolved:

That the Diplomatic Representatives in Peking of the Powers now in Conference at Washington, to wit, the United States of America, Belgium, the British Empire, France, Italy, Japan, The Netherlands and Portugal; will be instructed by their respective Governments, whenever China shall so request, to associate themselves with three representatives of the Chinese Government to conduct collectively a full and impartial inquiry into the issues raised by the foregoing declarations of intention made by the Powers and by China and shall thereafter prepare a full and comprehensive report

setting out without reservation their findings of fact and their opinion with regard to the matter hereby referred for inquiry, and shall furnish a copy of their report to each of the nine Governments concerned which shall severally make public the report with such comment as each may deem appropriate. The representatives of any of the Powers may make or join in minority reports stating their differences, if any, from the majority report.

That each of the Powers above named shall be deemed free to accept or reject all or any of the findings of fact or opinions expressed in the report but that in no case shall any of the said Powers make its acceptance of all or any of the findings of fact or opinions either directly or indirectly dependent on the granting by China of any special concession, favor, benefit or immunity, whether political or economic.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session, February 1st, 1922.

NO. 7. RESOLUTION REGARDING RADIO STATIONS IN CHINA AND
ACCOMPANYING DECLARATIONS

February 1, 1922

The representatives of the Powers hereinafter named participating in the discussion of Pacific and Far Eastern questions in the Conference on the Limitation of Armament—to wit: The United States of America, Belgium, The British Empire, China, France, Italy, Japan, The Netherlands and Portugal,

Have resolved

1. That all radio stations in China whether maintained under the provisions of the international protocol of September 7, 1901, or in fact maintained in the grounds of any of the foreign legations in China, shall be limited in their use to sending and receiving government messages and shall not receive or send commercial or personal or unofficial messages, including press matter: Provided, however, that in case all other telegraphic communication is interrupted, then, upon official notification accompanied by proof of such interruption to the Chinese Ministry of Communications, such stations may afford temporary facilities for commercial, personal or unofficial messages, including press matter, until the Chinese Government has given notice of the termination of the interruption;

2. All radio stations operated within the territory of China by a foreign government or the citizens or subjects thereof under treaties or concessions of the Government of China, shall limit the messages sent and received by the terms of the treaties or concessions under which the respective stations are maintained;

3. In case there be any radio station maintained in the territory of China by a foreign government or citizens or subjects thereof without the authority of the Chinese Government, such station and all the plant, apparatus and

material thereof shall be transferred to and taken over by the Government of China, to be operated under the direction of the Chinese Ministry of Communications upon fair and full compensation to the owners for the value of the installation, as soon as the Chinese Ministry of Communications is prepared to operate the same effectively for the general public benefit;

4. If any questions shall arise as to the radio stations in leased territories, in the South Manchurian Railway Zone or in the French Concession at Shanghai, they shall be regarded as matters for discussion between the Chinese Government and the Governments concerned.

5. The owners or managers of all radio stations maintained in the territory of China by foreign powers or citizens or subjects thereof shall confer with the Chinese Ministry of Communications for the purpose of seeking a common arrangement to avoid interference in the use of wave lengths by wireless stations in China, subject to such general arrangements as may be made by an international conference convened for the revision of the rules established by the International Radio Telegraph Convention signed at London, July 5, 1912.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session, February 1st, 1922.

DECLARATION CONCERNING THE RESOLUTION ON RADIO STATIONS IN CHINA OF DECEMBER 7, 1921

The Powers other than China declare that nothing in paragraphs 3 or 4 of the Resolutions of 7th December, 1921, is to be deemed to be an expression of opinion by the Conference as to whether the stations referred to therein are or are not authorized by China.

They further give notice that the result of any discussion arising under paragraph 4 must, if it is not to be subject to objection by them, conform with the principles of the Open Door or equality of opportunity approved by the Conference.

CHINESE DECLARATION CONCERNING RESOLUTION OF DECEMBER 7TH REGARDING RADIO STATIONS IN CHINA

The Chinese Delegation takes this occasion formally to declare that the Chinese Government does not recognize or concede the right of any foreign Power or of the nationals thereof to install or operate, without its express consent, radio stations in legation grounds, settlements, concessions, leased territories, railway areas or other similar areas.

NO. 8. RESOLUTION REGARDING UNIFICATION OF RAILWAYS IN CHINA AND ACCOMPANYING DECLARATION BY CHINA

February 1, 1922

The Powers represented in this Conference record their hope that to the utmost degree consistent with legitimate existing rights, the future develop-

ment of railways in China shall be so conducted as to enable the Chinese Government to effect the unification of railways into a railway system under Chinese control, with such foreign financial and technical assistance as may prove necessary in the interests of that system.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session February 1st, 1922.

STATEMENT REGARDING CHINESE RAILWAYS MADE ON JANUARY 19, 1922, BY
THE CHINESE DELEGATION

The Chinese Delegation notes with sympathetic appreciation the expression of the hope of the Powers that the existing and future railways of China may be unified under the control and operation of the Chinese Government with such foreign financial and technical assistance as may be needed. It is our intention as speedily as possible to bring about this result. It is our purpose to develop existing and future railways in accordance with a general programme that will meet the economic, industrial and commercial requirements of China. It will be our policy to obtain such foreign financial and technical assistance as may be needed from the Powers in accordance with the principles of the Open Door or equal opportunity; and the friendly support of these Powers will be asked for the effort of the Chinese Government to bring all the railways of China, now existing or to be built, under its effective and unified control and operation.

NO. 9. RESOLUTION REGARDING THE REDUCTION OF CHINESE
MILITARY FORCES

February 1, 1922

Whereas the Powers attending this Conference have been deeply impressed with the severe drain on the public revenue of China through the maintenance in various parts of the country, of military forces, excessive in number and controlled by the military chiefs of the provinces without coordination,

And whereas the continued maintenance of these forces appears to be mainly responsible for China's present unsettled political conditions,

And whereas it is felt that large and prompt reductions of these forces will not only advance the cause of China's political unity and economic development but will hasten her financial rehabilitation;

Therefore, without any intention to interfere in the internal problems of China, but animated by the sincere desire to see China develop and maintain for herself an effective and stable government alike in her own interest and in the general interest of trade;

And being inspired by the spirit of this Conference whose aim is to reduce, through the limitation of armament, the enormous disbursements which manifestly constitute the greater part of the encumbrance upon enterprise and national prosperity;

It is resolved: That this Conference express to China the earnest hope that immediate and effective steps may be taken by the Chinese Government to reduce the aforesaid military forces and expenditures.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session, February 1st, 1922.

NO. 10. RESOLUTION REGARDING EXISTING COMMITMENTS OF CHINA OR WITH
RESPECT TO CHINA

February 1, 1922

The Powers represented in this Conference, considering it desirable that there should hereafter be full publicity with respect to all matters affecting the political and other international obligations of China and of the several Powers in relation to China, are agreed as follows:

I. The several Powers other than China will at their earliest convenience file with the Secretariat General of the Conference for transmission to the participating Powers, a list of all treaties, conventions, exchange of notes, or other international agreements which they may have with China, or with any other Power or Powers in relation to China, which they deem to be still in force and upon which they may desire to rely. In each case, citations will be given to any official or other publication in which an authoritative text of the documents may be found. In any case in which the document may not have been published, a copy of the text (in its original language or languages) will be filed with the Secretariat General of the Conference.

Every Treaty or other international agreement of the character described which may be concluded hereafter shall be notified by the Governments concerned within sixty (60) days of its conclusion to the Powers who are signatories of or adherents to this agreement.

II. The several Powers other than China will file with the Secretariat General of the Conference at their earliest convenience for transmission to the participating Powers a list, as nearly complete as may be possible, of all those contracts between their nationals, of the one part, and the Chinese Government or any of its administrative subdivisions or local authorities, of the other part, which involve any concession, franchise, option or preference with respect to railway construction, mining, forestry, navigation, river conservancy, harbor works, reclamation, electrical communications, or other public works or public services, or for the sale of arms or ammunition, or which involve a lien upon any of the public revenues or properties of the Chinese Government or of any of its administrative subdivisions. There shall be, in the case of each document so listed, either a citation to a published text, or a copy of the text itself.

Every contract of the public character described which may be concluded hereafter shall be notified by the Governments concerned within sixty (60)

days after the receipt of information of its conclusion to the Powers who are signatories of or adherents to this agreement.

III. The Chinese Government agrees to notify in the conditions laid down in this agreement every treaty agreement or contract of the character indicated herein which has been or may hereafter be concluded by that Government or by any local authority in China with any foreign Power or the nationals of any foreign Power whether party to this agreement or not, so far as the information is in its possession.

IV. The Governments of Powers having treaty relations with China, which are not represented at the present Conference, shall be invited to adhere to this agreement.

The United States Government, as convenor of the Conference, undertakes to communicate this agreement to the Governments of the said Powers, with a view to obtaining their adherence thereto as soon as possible.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session February 1st, 1922.

NO. 11. RESOLUTION REGARDING THE CHINESE EASTERN RAILWAY, APPROVED
BY ALL THE POWERS INCLUDING CHINA

February 4, 1922

Resolved, That the preservation of the Chinese Eastern Railway for those in interest requires that better protection be given to the railway and the persons engaged in its operation and use, a more careful selection of personnel to secure efficiency of service, and a more economical use of funds to prevent waste of the property.

That the subject should immediately be dealt with through the proper Diplomatic channels.

Adopted by the Conference on the Limitation of Armament at the Sixth Plenary Session February 4th, 1922.

NO. 12. RESOLUTION REGARDING THE CHINESE EASTERN RAILWAY, APPROVED
BY ALL THE POWERS OTHER THAN CHINA

The Powers other than China in agreeing to the resolution regarding the Chinese Eastern Railway, reserve the right to insist hereafter upon the responsibility of China for performance or non-performance of the obligations towards the foreign stockholders, bondholders and creditors of the Chinese Eastern Railway Company which the Powers deem to result from the contracts under which the railroad was built and the action of China thereunder and the obligations which they deem to be in the nature of a trust resulting from the exercise of power by the Chinese Government over the possession and administration of the railroad.

TREATY BETWEEN JAPAN AND CHINA FOR THE SETTLEMENT OF OUTSTANDING
QUESTIONS RELATIVE TO SHANTUNG ¹

Signed at Washington, February 4, 1922

China and Japan, being equally animated by a sincere desire to settle amicably and in accordance with their common interest outstanding questions relative to Shantung, have resolved to conclude a treaty for the settlement of such questions, and have to that end named as their Plenipotentiaries, that is to say:

HIS EXCELLENCY THE PRESIDENT OF THE CHINESE REPUBLIC:

Sao-Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary;

Vikyuin Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary; and

Chung-Hui Wang, Former Minister of Justice;

HIS MAJESTY THE EMPEROR OF JAPAN:

Baron Tomosaburo Kato, Minister of the Navy;

Baron Kijuro Shidehara, Ambassador Extraordinary and Plenipotentiary; and

Masanao Hanihara, Vice-Minister for Foreign Affairs;

Who, having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:

SECTION I

Restoration of the Former German Leased Territory of Kiaochow.

ARTICLE I

Japan shall restore to China the former German Leased Territory of Kiaochow.

ARTICLE II

The Government of the Chinese Republic and the Government of Japan shall each appoint three Commissioners to form a Joint Commission, with powers to make and carry out detailed arrangements relating to the transfer of the administration of the former German Leased Territory of Kiaochow and to the transfer of public properties in the said Territory and to settle other matters likewise requiring adjustment.

For such purposes, the Joint Commission shall meet immediately upon the coming into force of the present Treaty.

¹ Text furnished by Japanese Embassy and Chinese Legation at Washington.

ARTICLE III

The transfer of the administration of the former German Leased Territory of Kiaochow and the transfer of public properties in the said Territory, as well as the adjustment of other matters under the preceding Article, shall be completed as soon as possible, and, in any case, not later than six months from the date of the coming into force of the present Treaty.

ARTICLE IV

The Government of Japan undertakes to hand over to the Government of the Chinese Republic, upon the transfer to China of the administration of the former German Leased Territory of Kiaochow, such archives, registers, plans, title-deeds and other documents in the possession of Japan, or certified copies thereof, as may be necessary for the transfer of the administration, as well as those that may be useful for the subsequent administration by China of the said Territory and of the Fifty Kilometre Zone around Kiaochow Bay.

SECTION II

Transfer of Public Properties

ARTICLE V

The Government of Japan undertakes to transfer to the Government of the Chinese Republic all public properties including land, buildings, works or establishments in the former German Leased Territory of Kiaochow, whether formerly possessed by the German authorities, or purchased or constructed by the Japanese authorities during the period of the Japanese administration of the said Territory, except those indicated in Article VII of the present Treaty.

ARTICLE VI

In the transfer of public properties under the preceding Article, no compensation will be claimed from the Government of the Chinese Republic: Provided, however, that for those purchased or constructed by the Japanese authorities, and also for the improvements on or additions to those formerly possessed by the German authorities, the Government of the Chinese Republic shall refund a fair and equitable proportion of the expenses actually incurred by the Government of Japan, having regard to the principle of depreciation and continuing value.

ARTICLE VII

Such public properties in the former German Leased Territory of Kiaochow as are required for the Japanese Consulate to be established in Tsingtao shall be retained by the Government of Japan, and those required more especially for the benefit of the Japanese community, including public schools, shrines and cemeteries, shall be left in the hands of the said community.

ARTICLE VIII

Details of the matters referred to in the preceding three Articles shall be arranged by the Joint Commission provided for in Article II of the present Treaty.

SECTION III

Withdrawal of Japanese Troops

ARTICLE IX

The Japanese troops, including gendarmes, now stationed along the Tsingtao-Tsinanfu Railway and its branches, shall be withdrawn as soon as the Chinese police or military force shall have been sent to take over the protection of the Railway.

ARTICLE X

The disposition of the Chinese police or military force and the withdrawal of the Japanese troops under the preceding Article may be effected in sections.

The date of the completion of such process for each section shall be arranged in advance between the competent authorities of China and Japan.

The entire withdrawal of such Japanese troops shall be effected within three months, if possible, and, in any case, not later than six months, from the date of the signature of the present Treaty.

ARTICLE XI

The Japanese garrison at Tsingtao shall be completely withdrawn simultaneously, if possible, with the transfer to China of the administration of the former German Leased Territory of Kiaochow, and, in any case, not later than thirty days from the date of such transfer.

SECTION IV

Maritime Customs at Tsingtao

ARTICLE XII

The Custom House of Tsingtao shall be made an integral part of the Chinese Maritime Customs upon the coming into force of the present Treaty.

ARTICLE XIII

The Provisional Agreement of August 6, 1915, between China and Japan, relating to the reopening of the Office of the Chinese Maritime Customs at Tsingtao shall cease to be effective upon the coming into force of the present Treaty.

SECTION V

Tsingtao-Tsinanfu Railway

ARTICLE XIV

Japan shall transfer to China the Tsingtao-Tsinanfu Railway and its branches, together with all other properties appurtenant thereto, including wharves, warehouses and other similar properties.

ARTICLE XV

China undertakes to reimburse to Japan the actual value of all the Railway properties mentioned in the preceding Article.

The actual value to be so reimbursed shall consist of the sum of fifty-three million four hundred and six thousand, one hundred and forty-one (53,406,141) gold Marks (which is the assessed value of such portion of the said properties as was left behind by the Germans), or its equivalent, plus the amount which Japan, during her administration of the Railway, has actually expended for permanent improvements on or additions to the said properties, less a suitable allowance for depreciation.

It is understood that no charge will be made with respect to the wharves, warehouses and other similar properties mentioned in the preceding Article, except for such permanent improvements on or additions to them as may have been made by Japan, during her administration of the Railway, less a suitable allowance for depreciation.

ARTICLE XVI

The Government of the Chinese Republic and the Government of Japan shall each appoint three Commissioners to form a Joint Railway Commission, with powers to appraise the actual value of the Railway properties on the basis defined in the preceding Article, and to arrange the transfer of the said properties.

ARTICLE XVII

The transfer of all the Railway properties under Article XIV of the present Treaty shall be completed as soon as possible, and, in any case, not later than nine months from the date of the coming into force of the present Treaty.

ARTICLE XVIII

To effect the reimbursement under Article XV of the present Treaty, China shall deliver to Japan simultaneously with the completion of the transfer of the Railway properties, Chinese Government Treasury Notes, secured on the properties and revenues of the Railway, and running for a period of fifteen years, but redeemable, whether in whole or in part, at the option of China, at the end of five years from the date of the delivery of the said Treasury Notes, or at any time thereafter upon six months' previous notice.

ARTICLE XIX

Pending the redemption of the said Treasury Notes under the preceding Article, the Government of the Chinese Republic will select and appoint, for so long a period as any part of the said Treasury Notes shall remain unredeemed, a Japanese subject to be Traffic Manager, and another Japanese subject to be Chief Accountant jointly with the Chinese Chief Accountant and with co-ordinate functions.

These officials shall all be under the direction, control and supervision of the Chinese Managing Director, and removable for cause.

ARTICLE XX

Financial details of a technical character relating to the said Treasury Notes, not provided for in this Section, shall be determined in common accord between the Chinese and Japanese authorities as soon as possible, and, in any case, not later than six months from the date of the coming into force of the present Treaty.

SECTION VI

Extensions of the Tsingtao-Tsinanfu Railway.

ARTICLE XXI

The concessions relating to the two extensions of the Tsingtao-Tsinanfu Railway, namely, the Tsinanfu-Shunteh and the Kaomi-Hsuchowfu lines, shall be made open to the common activity of an international financial group, on terms to be arranged between the Government of the Chinese Republic and the said group.

SECTION VII

Mines

ARTICLE XXII

The mines of Tsechwan, Fangtze and Chinlingchen, for which the mining rights were formerly granted by China to Germany, shall be handed over to a company to be formed under a special charter of the Government of the Chinese Republic, in which the amount of Japanese capital shall not exceed that of Chinese capital.

The mode and terms of such arrangement shall be determined by the Joint Commission provided for in Article II of the present Treaty.

SECTION VIII

Opening of the Former German Leased Territory of Kiaochow

ARTICLE XXIII

The Government of Japan declares that it will not seek the establishment of an exclusive Japanese settlement, or of an international settlement, in the former German Leased Territory of Kiaochow.

The Government of the Chinese Republic, on its part, declares that the entire area of the former German Leased Territory of Kiaochow will be opened to foreign trade, and that foreign nationals will be permitted freely to reside and to carry on commerce, industry and other lawful pursuits within such area.

ARTICLE XXIV

The Government of the Chinese Republic further declares that vested rights lawfully and equitably acquired by foreign nationals in the former German Leased Territory of Kiaochow, whether under the German régime or during the period of the Japanese administration, will be respected.

All questions relating to the status or validity of such vested rights acquired by Japanese subjects or Japanese companies shall be adjusted by the Joint Commission provided for in Article II of the present Treaty.

SECTION IX

Salt Industry

ARTICLE XXV

Whereas the salt industry is a Government monopoly in China, it is agreed that the interests of Japanese subjects or Japanese companies actually engaged in the said industry along the coast of Kiaochow Bay shall be purchased by the Government of the Chinese Republic for fair compensation, and that the exportation to Japan of a quantity of salt produced by such industry along the said coast is to be permitted on reasonable terms.

Arrangements for the above purposes, including the transfer of the said interests to the Government of the Chinese Republic, shall be made by the Joint Commission provided for in Article II of the present Treaty. They shall be completed as soon as possible, and, in any case, not later than six months from the date of the coming into force of the present Treaty.

SECTION X

Submarine Cables

ARTICLE XXVI

The Government of Japan declares that all the rights, title and privileges concerning the former German submarine cables between Tsingtao and Chefoo and between Tsingtao and Shanghai are vested in China, with the exception of those portions of the said two cables which have been utilized by the Government of Japan for the laying of a cable between Tsingtao and Sasebo; it being understood that the question relating to the landing and operation at Tsingtao of the said Tsingtao-Sasebo cable shall be adjusted by the Joint Commission provided for in Article II of the present Treaty, subject to the terms of the existing contracts to which China is a party.

SECTION XI

Wireless Stations

ARTICLE XXVII

The Government of Japan undertakes to transfer to the Government of the Chinese Republic the Japanese wireless stations at Tsingtao and Tsinanfu, for fair compensation for the value of these stations, upon the withdrawal of the Japanese troops at the said two places, respectively.

Details of such transfer and compensation shall be arranged by the Joint Commission provided for in Article II of the present Treaty.

ARTICLE XXVIII

The present Treaty (including the Annex thereto) shall be ratified, and the ratifications thereof shall be exchanged at Peking as soon as possible, and not later than four months from the date of its signature.

It shall come into force from the date of the exchange of ratifications.

In witness whereof, the respective Plenipotentiaries have signed the present Treaty in duplicate, in the English language, and have affixed thereto their seals.

Done at the City of Washington this fourth day of February, One Thousand Nine Hundred and Twenty-Two.

(Signed) SAO-KE. ALFRED SZE	[L. S.]
(Signed) V. K. WELLINGTON KOO	[L. S.]
(Signed) CHUNG-HUI WANG	[L. S.]
(Signed) T. KATO	[L. S.]
(Signed) K. SHIDEHARA	[L. S.]
(Signed) M. HANIHARA	[L. S.]

ANNEX

I

Renunciation of Preferential Rights

The Government of Japan declares that it renounces all preferential rights with respect to foreign assistance in persons, capital and material stipulated in the Treaty of March 6, 1898, between China and Germany.

II

Transfer of Public Properties

It is understood that public properties to be transferred to the Government of the Chinese Republic under Article V of the present Treaty include (1) all public works, such as roads, water-works, parks, drainage and sanitary equip-

ment, and (2) all public enterprises such as those relating to telephone, electric light, stockyard and laundry.

The Government of the Chinese Republic declares that in the management and maintenance of public works to be so transferred to the Government of the Chinese Republic, the foreign community in the former German Leased Territory of Kiaochow shall have fair representation.

The Government of the Chinese Republic further declares that, upon taking over the telephone enterprise in the former German Leased Territory of Kiaochow, it will give due consideration to the requests from the foreign community in the said Territory for such extensions and improvements in the telephone enterprise as may be reasonably required by the general interests of the public.

With respect to public enterprises relating to electric light, stockyard and laundry, the Government of the Chinese Republic, upon taking them over, shall re-transfer them to the Chinese municipal authorities of Tsingtao, which shall, in turn, cause commercial companies to be formed under Chinese laws for the management and working of the said enterprises, subject to municipal regulation and supervision.

III

Maritime Customs at Tsingtao

The Government of the Chinese Republic declares that it will instruct the Inspector General of the Chinese Maritime Customs (1) to permit Japanese traders in the former German Leased Territory of Kiaochow to communicate in the Japanese language with the Custom House of Tsingtao; and (2) to give consideration, within the limits of the established service regulations of the Chinese Maritime Customs, to the diverse needs of the trade of Tsingtao, in the selection of a suitable staff for the said Custom House.

IV

Tsingtao-Tsinanfu Railway

Should the Joint Railway Commission provided for in Article XVI of the present Treaty fail to reach an agreement on any matter within its competence, the point or points at issue shall be taken up by the Government of the Chinese Republic and the Government of Japan for discussion and adjustment by means of diplomacy.

In the determination of such point or points, the Government of the Chinese Republic and the Government of Japan shall, if necessary, obtain recommendations of experts of a third Power or Powers who shall be designated in common accord between the two Governments.

V

Chefoo-Weihsien Railway

The Government of Japan will not claim that the option for financing the Chefoo-Weihsien Railway should be made open to the common activity

of the International Financial Consortium, provided that the said Railway is to be constructed with Chinese capital.

VI

Opening of the Former German Leased Territory of Kiaochow

The Government of the Chinese Republic declares that, pending the enactment and general application of laws regulating the system of local self-government in China, the Chinese local authorities will ascertain the views of the foreign residents in the former German Leased Territory of Kiaochow in such municipal matters as may directly affect their welfare and interests.

(Signed) SAO-KE ALFRED SZE

(Signed) T. KATO

(Signed) V. K. WELLINGTON KOO

(Signed) K. SHIDEHARA

(Signed) CHUNG-HUI WANG

(Signed) M. HANIHARA

AGREED TERMS OF UNDERSTANDING RECORDED IN THE MINUTES OF THE
JAPANESE AND CHINESE DELEGATIONS CONCERNING THE CONCLUSION
OF THE TREATY FOR THE SETTLEMENT OF OUTSTANDING QUESTIONS
RELATIVE TO SHANTUNG ¹

I. Transfer of Public Properties

1. Japanese subjects will be permitted, subject to the provisions of Chinese law, to become members or shareholders of any of the commercial companies to be formed with respect to public enterprises mentioned in Paragraph 4 of Annex II of the Treaty.

II. Withdrawal of Japanese Troops

2. After the withdrawal of the Japanese troops provided for in Articles IX-XI of the Treaty, no Japanese military force of any kind will remain in any part of Shantung.

III. Tsingtao-Tsinanfu Railway

3. All light railways constructed by Japan in Shantung and all properties appurtenant thereto shall be considered as part of the properties of the Tsingtao-Tsinanfu Railway.

4. The telegraph lines along the Railway shall also be considered as part of the Railway properties.

5. The Chinese authorities, upon taking over the Railway, shall have full power and discretion to retain or to remove the present employees of Japanese nationality in the service of the Railway. In replacing such employees, reasonable notice shall be given before the date of the transfer of the Railway.

¹ These terms furnished by Japanese Embassy at Washington.

Detailed arrangements regarding the replacements to take effect immediately on the transfer of the Railway are to be made by the Joint Railway Commission provided for in Article XVI of the Treaty.

6. The entire subordinate staff of the Japanese Traffic Manager and the Japanese Chief Accountant of the Railway is to be appointed by the Chinese Managing Director. After two years and a half from the date of the transfer of the Railway, the Chinese Government may appoint an Assistant Traffic Manager of Chinese nationality for the period of two years and a half, and such Chinese Assistant Traffic Manager may likewise be appointed at any time upon notice being given for the redemption of the Treasury Notes under Article XVIII of the Treaty.

7. The Chinese Government is under no obligation to appoint Japanese subjects as members of the subordinate staff above mentioned.

8. The redemption of the Treasury Notes under Article XVIII of the Treaty will not be effected with funds raised from any source other than Chinese.

9. The Chinese Government will ask the Japanese Government for such information as may be useful in making the selection of the Japanese Traffic Manager and the Japanese Chief Accountant of the Railway.

10. All questions relating to the existing contracts or commitments made by the Japanese authorities in charge of the Railway shall be settled by the Joint Railway Commission; and, prior to the transfer of the Railway, the said Japanese authorities will not make any new contracts or commitments calculated to be harmful to the interests of the Railway.

IV. Opening of the Former German Leased Territory of Kiaochow

11. The term "lawful pursuits" used in Article XXIII of the Treaty shall not be so construed as to include agriculture, or any enterprise prohibited by Chinese law or not permitted to foreign nationals under the treaties between China and foreign Powers, it being understood that this definition shall be without prejudice to the question of the salt industry provided for in Article XXV of the Treaty or to any question relating to vested rights which shall be determined in accordance with Article XXIV of the Treaty.

V. Post Offices

12. All the Japanese Post Offices outside of the former German Leased Territory of Kiaochow shall be withdrawn simultaneously with the transfer of the Tsingtao-Tsinanfu Railway, if such transfer shall take place before January 1, 1923, and, in any case, not later than the said date.

13. All the Japanese Post Offices within the former German Leased Territory of Kiaochow shall be withdrawn simultaneously with the transfer of the administration of the said Territory.

VI. Claims

14. The omission of any reference in the Treaty to the question of claims which Chinese citizens may have against the Japanese authorities or Japanese subjects, for the restitution of real property in Shantung or for damages to the persons and property of Chinese citizens in Shantung, shall not prejudice such claims.

15. The Chinese authorities shall furnish the Japanese authorities with a list of such claims together with all available evidence in support of each claim. Justice shall be done through diplomatic channels as regards the claims against the Japanese authorities, and through ordinary judicial procedure as regards the claims against Japanese subjects. With respect to the latter class of claims, the investigation into actual facts of each case may, if necessary, be conducted by a Joint Commission of Japanese and Chinese officials, in equal number, to be specially designated for that purpose.

16. The Japanese Government shall not be held responsible for any damages which may have been directly caused by military operations of Japan during the late war.

TREATY BETWEEN THE UNITED STATES AND JAPAN WITH REGARD TO THE
FORMER GERMAN ISLANDS IN THE PACIFIC OCEAN, IN PARTICULAR
THE ISLAND OF YAP¹

THE UNITED STATES OF AMERICA AND JAPAN

Considering that by Article 119 of the Treaty of Versailles, signed on June 28, 1919, Germany renounced in favor of the Powers described in that Treaty as the Principal Allied and Associated Powers, to wit, the United States of America, the British Empire, France, Italy, and Japan, all her rights and titles over her overseas possessions;

Considering that the benefits accruing to the United States under the aforesaid Article 119 of the Treaty of Versailles were confirmed by the Treaty between the United States and Germany, signed on August 25, 1921, to restore friendly relations between the two nations;

Considering that the said four Powers—to wit, the British Empire, France, Italy, and Japan—have agreed to confer upon His Majesty the Emperor of Japan a mandate, pursuant to the Treaty of Versailles, to administer the groups of the former German islands in the Pacific Ocean lying north of the Equator, in accordance with the following provisions:

Article 1. The islands over which a Mandate is conferred upon His Majesty the Emperor of Japan (hereinafter called the Mandatory) comprise all the former German islands situated in the Pacific Ocean and lying north of the Equator.

Article 2. The Mandatory shall have full power of administration and legislation over the territory subject to the present Mandate as an integral

¹ Senate Executive R., 67th Cong., 2d Sess.

portion of the Empire of Japan, and may apply the laws of the Empire of Japan to the territory, subject to such local modifications as circumstances may require. The Mandatory shall promote to the utmost the material and moral well-being and the social progress of the inhabitants of the territory subject to the present mandate.

Article 3. The Mandatory shall see that the slave trade is prohibited and that no forced labor is permitted, except for essential public works and services, and then only for adequate remuneration. The Mandatory shall also see that the traffic in arms and ammunition is controlled in accordance with principles analogous to those laid down in the convention relating to the control of the arms traffic signed on September 10th, 1919, or in any convention amending same. The supply of intoxicating spirits and beverages to the natives shall be prohibited.

Article 4. The military training of the natives, otherwise than for purposes of internal police and the local defense of the territory, shall be prohibited. Furthermore, no military or naval bases shall be established or fortifications erected in the territory.

Article 5. Subject to the provisions of any local law for the maintenance of public order and public morals, the Mandatory shall insure in the territory freedom of conscience and the free exercise of all forms of worship, and shall allow all missionaries, nationals of any State Member of the League of Nations, to enter into, travel, and reside in the territory for the purpose of prosecuting their calling.

Article 6. The Mandatory shall make to the Council of the League of Nations an annual report to the satisfaction of the council, containing full information with regard to the territory and indicating the measures taken to carry out the obligations assumed under articles 2, 3, 4, and 5.

Article 7. The consent of the Council of the League of Nations is required for any modification of the terms of the present Mandate. The Mandatory agrees that, if any dispute whatever should arise between the Mandatory and another Member of the League of Nations relating to the interpretation or the application of the provisions of the Mandate, such dispute, if it can not be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations;

Considering that the United States did not ratify the treaty of Versailles and did not participate in the agreement respecting the aforesaid Mandate;

Desiring to reach a definite understanding with regard to the rights of the two Governments and their respective nationals in the aforesaid islands, and in particular the Island of Yap, have resolved to conclude a convention for that purpose, and to that end have named as their plenipotentiaries:

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

CHARLES EVANS HUGHES, SECRETARY OF STATE OF THE UNITED STATES; AND

HIS MAJESTY THE EMPEROR OF JAPAN:

BARON KIJURO SHIDEHARA, HIS MAJESTY'S AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY AT WASHINGTON;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows:

ARTICLE I

Subject to the provisions of the present Convention, the United States consents to the administration by Japan, pursuant to the aforesaid mandate, of all the former German Islands in the Pacific Ocean lying north of the Equator.

ARTICLE II

The United States and its nationals shall receive all the benefits of the engagements of Japan defined in Articles 3, 4, and 5 of the aforesaid Mandate, notwithstanding the fact that the United States is not a Member of the League of Nations.

It is further agreed between the high contracting parties as follows:

(1) Japan shall insure in the islands complete freedom of conscience and the free exercise of all forms of worship which are consonant with public order and morality; American missionaries of all such religions shall be free to enter the islands and to travel and reside therein, to acquire and possess property, to erect religious buildings and to open schools throughout the islands; it being understood, however, that Japan shall have the right to exercise such control as may be necessary for the maintenance of public order and good government and to take all measures required for such control.

(2) Vested American property rights in the mandated islands shall be respected and in no way impaired;

(3) Existing treaties between the United States and Japan shall be applicable to the mandated islands;

(4) Japan will address to the United States a duplicate of the annual report on the administration of the mandate to be made by Japan to the council of the League of Nations;

(5) Nothing contained in the present convention shall be affected by any modification which may be made in the terms of the mandate as recited in the convention unless such modification shall have been expressly assented to by the United States.

ARTICLE III

The United States and its nationals shall have free access to the Island of Yap on a footing of entire equality with Japan or any other nation and their respective nationals in all that relates to the landing and operation of the existing Yap-Guam cable or of any cable which may hereafter be laid or operated by the United States or by its nationals connecting with the Island of Yap.

The rights and privileges embraced by the preceding paragraph shall also be accorded to the Government of the United States and its nationals with respect to radiotelegraphic communication; provided, however, that so long as the Government of Japan shall maintain on the Island of Yap an adequate

radiotelegraphic station, cooperating effectively with the cables and with other radio stations on ships or on shore, without discriminatory exactions or preferences, the exercise of the right to establish radiotelegraphic stations on the Island by the United States or its nationals shall be suspended.

ARTICLE IV

In connection with the rights embraced by Article III, specific rights, privileges, and exemptions, in so far as they relate to electrical communications, shall be enjoyed in the Island of Yap by the United States and its nationals in terms as follows:

(1) Nationals of the United States shall have the unrestricted right to reside in the Island, and the United States and its nationals shall have the right to acquire and hold on a footing of entire equality with Japan or any other nation or their respective nationals all kinds of property and interests, both personal and real, including lands, buildings, residences, offices, works, and appurtenances.

(2) Nationals of the United States shall not be obliged to obtain any permit or license in order to be entitled to land and operate cables on the Island or to establish radiotelegraphic service, subject to the provisions of Article III, or to enjoy any of the rights and privileges embraced by this Article and by Article III.

(3) No censorship or supervision shall be exercised over cable or radio messages or operations.

(4) Nationals of the United States shall have complete freedom of entry and exit in the Island for their persons and property.

(5) No taxes, port, harbor, or landing charges or exactions of any nature whatsoever, shall be levied either with respect to the operation of cables or radio stations, or with respect to property, persons, or vessels.

(6) No discriminatory police regulations shall be enforced.

(7) The Government of Japan will exercise its power of expropriation in the Island to secure to the United States or its nationals needed property and facilities for the purpose of electrical communications if such property or facilities can not otherwise be obtained.

It is understood that the location and the area of land so to be expropriated shall be arranged between the two Governments according to the requirements of each case. Property of the United States or of its nationals and facilities for the purpose of electrical communication in the Island shall not be subject to expropriation.

ARTICLE V

The present convention shall be ratified by the high contracting parties in accordance with their respective Constitutions. The ratifications of this convention shall be exchanged in Washington as soon as practicable, and it shall take effect on the date of the exchange of the ratifications.

In witness whereof, the respective plenipotentiaries have signed this convention and have hereunto affixed their seals.

Done in duplicate at the city of Washington this eleventh day of February, nineteen hundred and twenty-two.

CHARLES EVANS HUGHES.

K. SHIDEHARA.

TREATY BETWEEN THE UNITED KINGDOM AND BRAZIL PROVIDING FOR THE
ESTABLISHMENT OF A PEACE COMMISSION¹

*Signed at Rio de Janeiro, April 4, 1919; ratifications exchanged at Rio
de Janeiro, March 11, 1921*

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the Acting President of the Republic of the United States of Brazil, desirous of once more giving expression to the traditional friendship existing between the two countries, and uniting to promote the cause of civilisation by peaceful means, have resolved to enter into a special Treaty for the amicable settlement of any future difficulties which may arise between the two countries, and for that purpose have appointed as their Plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Sir Arthur Robert Peel, K.C.M.G., his Envoy Extraordinary and Minister Plenipotentiary at Rio de Janeiro; and

The Acting President of the Republic of the United States of Brazil, M. Domicio da Gama, Minister of State for Foreign Affairs;

Who, being duly authorised, have agreed on the following articles:—

ARTICLE 1

The two High Contracting Parties agree to submit to the investigation of a permanent Commission, which will give its report thereon, all difficulties of an international character which may arise between them and cannot be directly resolved by diplomatic means, and which do not fall within the terms of the Arbitration Convention in force between the two countries; and they further agree not to declare war the one against the other, nor to commence hostilities, until the result of such investigation shall be submitted.

¹ British Treaty Series, 1921, No. 8.

ARTICLE 2

The above-mentioned Commission shall be composed of five members, each of them nominated for five years, in the following manner: Each Government shall select two members, only one of them being a national of the country nominating him. The fifth shall be chosen by mutual agreement between the two Governments, it being understood that he shall not belong to any of the nationalities already represented on the Commission.

This fifth member shall exercise the function of President.

In the event of its appearing to His Majesty's Government that the British interests affected by the dispute to be investigated are not mainly those of the United Kingdom, but are mainly those of some one or more of the self-governing Dominions, namely, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland, His Majesty's Government shall be at liberty to substitute as the member chosen by them to serve on the international Commission for such investigation and report, another person selected from a list of persons to be named, one for each of the self-governing Dominions, but only one shall act, namely, that one who represents the Dominion immediately interested.

The expenses of the Commission shall be paid by the two Governments in equal proportions.

The Commission shall be constituted and shall be prepared to operate within six months after the exchange of ratifications of the present Treaty.

At the end of each period of five years the members shall be reappointed or others substituted.

Vacancies shall be filled according to the manner of the original appointment.

The Commission shall formulate its own rules of procedure.

ARTICLE 3

In case the High Contracting Parties shall have failed to adjust any such question of an international nature by diplomatic methods, they shall refer it to the said Commission for investigation and report.

The Commission may be convened by either of the High Contracting Parties, and will operate preferably in the country which offers the greater facilities for examination of the question, for which purpose the High Contracting Parties shall furnish all assistance.

The report of the Commission shall be presented within one year after the date on which the Commission shall declare its investigation to have begun, unless a prorogation is agreed to by both parties.

This report, which is of a purely consultative nature and does not bind the High Contracting Parties on the subject in question, shall be prepared in

triplicate, each of the Governments receiving one copy and the third being preserved in the archives of the Commission.

ARTICLE 4

After presentation of the report to both Governments they shall have six months in which to negotiate an agreement in accordance with the Commission's report, and if, at the end of this further period, they do not succeed in coming to an understanding, they shall submit the dispute to arbitration in conformity with the terms of the Convention concluded between the two High Contracting Parties on the 18th June, 1909.

ARTICLE 5

The present Treaty shall be ratified by the two High Contracting Parties in the manner prescribed by their national constitutions, and the ratifications shall be exchanged as soon as possible. The Treaty shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years, and it shall thereafter remain in force until twelve months after one of the High Contracting Parties has given notice to the other of an intention to terminate it.

The strict and loyal fulfilment of the preceding clauses is confided to the honour of the signatory nations.

In witness thereof the respective Plenipotentiaries have signed the present Treaty, and have affixed thereunto their seals.

Done in duplicate in the English and Portuguese languages, at Rio de Janeiro, on the fourth day of April in the year nineteen hundred and nineteen.

[L. S.] ARTHUR ROBERT PEEL.

[L. S.] DOMICIO DA GAMA.

TREATY BETWEEN THE UNITED STATES AND CHINA CONFIRMING THE APPLICATION OF A FIVE PER CENT AD VALOREM RATE OF DUTY TO IMPORTATIONS OF GOODS INTO CHINA BY CITIZENS OF THE UNITED STATES¹

Signed at Washington, October 20, 1920; ratifications exchanged November 5, 1921

Whereas, it was agreed by Article VI (e), 1, and 3, of the Final Protocol entered into between the Powers and China, concluded at Peking, September 7, 1901, that the import tariff on goods imported into China by sea should be an effective five per cent. ad valorem;

And whereas, following the conclusion of said Protocol, and pursuant to the provisions of the first paragraph of Article XI thereof, a Treaty regarding

¹ U. S. Treaty Series, No. 657.

Commercial Relations between the Government of the United States of America and the Government of China was concluded at Shanghai on the 8th day of October, 1903, ratifications of which were duly exchanged on the 13th day of January, 1904;

And whereas, by Article V and Annex III of the said treaty it was agreed that the tariff of duties to be paid by the citizens of the United States of America on goods imported into China should be as set forth in the schedule annexed to and made a part of that Treaty as Annex III thereof, subject only to such amendments and changes as were authorized by Article IV of that treaty or as might thereafter be agreed upon by the High Contracting Parties, and that the citizens of the United States of America should at no time pay other or higher duties on goods imported into China than those paid by the citizens or subjects of the most favored nation;

And whereas, a commission composed of delegates of the governments of the United States of America and certain other powers having treaties with China regarding the duties to be paid by their citizens or subjects on imports into China, and delegates of the Republic of China has, at various conferences held at Shanghai between the 17th day of January, 1918, and the 20th day of December, 1918, agreed upon a proposed revision of the import tariff of China to the end that the rate of duty may be an effective five per cent. ad valorem on all foreign merchandise imported into China;

And whereas, the Government of the United States of America and the Government of the Republic of China desire to confirm the application of the proposed revised tariff of duties to importations of goods into China by citizens of the United States, the two Governments have determined to conclude this supplementary treaty, and have appointed for that purpose as their plenipotentiaries:

The President of the United States of America, Mr. Bainbridge Colby, Secretary of State of the United States; and

The President of the Republic of China, Mr. Vi Kyuin Wellington Koo, envoy extraordinary and minister plenipotentiary of the Republic of China at Washington;

Who, having met and duly exhibited to each other their full powers, which were found to be in proper form, have agreed upon the following articles:

ARTICLE I

The tariff of duties, which under the provisions of Article V of the Treaty regarding Commercial Relations signed by the plenipotentiaries of the United States of America and China at Shanghai on the 8th day of October, 1903, are annexed to and made a part of that treaty, as Annex III thereof, shall, beginning with the date of the exchange of ratifications of the present treaty, cease to apply to goods imported into China by citizens of the United States of America.

The rules attached to the schedule of duties annexed to the Treaty regarding Commercial Relations signed by the plenipotentiaries of the United States of America and China at Shanghai on the 8th day of October, 1903, are amended as agreed upon by the High Contracting Parties and as so amended are hereunto annexed and continued in full force and effect.

ARTICLE II

The tariff of duties and the rules hereunto annexed, shall beginning with the date of the exchange of ratifications of the present treaty be in full force and effect at the ports and places of China open to commerce with foreign countries, and beginning with the date of the exchange of ratifications the said duties shall be paid by citizens of the United States of America on goods imported into China, until modified or changed by agreement between the two High Contracting Parties; but the citizens of the United States of America shall at no time be required to pay other or higher duties on goods imported into China than are paid by the citizens or subjects of the most favored nation.

ARTICLE III

Except as provided in Articles I and II of the present treaty, the articles and provisions of the treaty signed at Shanghai, October 8, 1903, between the plenipotentiaries of the United States of America and China, shall continue in full force and effect, and the articles and provisions of the present treaty shall be read and construed as a supplementary treaty thereto, and shall be as binding and of the same efficacy as if they had been inserted therein.

ARTICLE IV

In the event of there being any difference of meaning between the English and Chinese texts of the present treaty, the English text shall be held to be the correct one.

This treaty and the tariff of duties and rules hereunto annexed shall be ratified by the two High Contracting Parties in conformity with their respective constitutions, and the ratifications shall be exchanged at Washington.

In testimony whereof, the plenipotentiaries of the two High Contracting Parties, by virtue of their respective powers, have signed this treaty in duplicate in the English and Chinese languages, and have affixed their respective seals.

Done at Washington this twentieth day of October in the year one thousand nine hundred and twenty, corresponding to the twentieth day of the tenth month of the ninth year of the Republic of China.

[SEAL.] BAINBRIDGE COLBY

[SEAL.] VI KYUIN WELLINGTON KOO

ANNEX I

IMPORT TARIFF

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. Tls.
	COTTON AND COTTON GOODS			
1	Cotton Piece Goods, Grey:— Grey Shirtings and Sheetings, not over 40 ins. by 41 yds.:— (a) Weight 7 lb. and under (b) Weight over 7 lb. and not over 9 lb. (c) Weight over 9 lb. and not over 11 lb.	Piece Piece Piece	1.817 2.681 3.530	0.091 0.13 0.18
2	Grey Shirtings and Sheetings, not over 40 ins. by 41 yds. and with more than 110 threads per square inch:— (a) Weight over 11 lb. and not over 12½ lb. (b) Weight over 12½ lb. and not over 15½ lb. (c) Weight over 15½ lb.	Piece Piece Piece	3.933 4.668 5.400	0.20 0.23 0.27
3	Grey Shirtings and Sheetings, not over 40 ins. by 41 yds. and with 110 threads or less per square inch:— (a) Weight over 11 lb. and not over 15½ lb. (b) Weight over 15½ lb.	Piece Piece	3.293 4.000	0.16 0.20
4	Drills and Jeans, Grey, not over 31 ins. by 31 yds.:—	Piece	2.960	0.15
5	Drills and Jeans, Grey, not over 31 ins. by 41 yds.:— (a) Weight 12½ lb. and under (b) Weight over 12½ lb.	Piece Piece	3.900 3.215	0.20 0.16
6	T-Cloths, Grey, not over 34 ins. by 25 yds.:— (a) Weight 7 lb. and under (b) Weight over 7 lb.	Piece Piece Piece	1.722 2.312 2.900	0.086 0.12 0.15
7	T-Cloths, Grey, over 24 ins. but not over 37 ins. by 25 yds.	Picul	32.400	1.60
8	Imitation Native Cotton Cloth (including Machine-made), Grey, not over 24 ins. wide and with not more than 110 threads per square inch.			
9	Cotton Flannel or Flannelette of Plain or Twill Weave, Grey:— (a) Not over 32 ins. by 31 yds. (b) Over 32 ins. but not over 40 ins. by 31 yds.	Piece "	3.484 4.800	0.17 0.24
	Cotton Piece Goods, White or Dyed (irrespective of finish):—			
10	Plain White Shirtings and Sheetings, not over 37 ins. by 42 yds.	Piece	4.183	0.21
11	White Irishes, not over 37 ins. by 42 yds.	Piece	5.096	0.25
12	Drills and Jeans, White, not over 31 ins. by 32 yds.	Piece	3.296	0.16
13	Drills and Jeans, White, not over 31 ins. by 42 yds.	Piece	4.348	0.22
14	T-Cloths, White, and Mexicans, not over 32 ins. by 41 yds.	Piece	3.614	0.18
15	Dimities, Piqués, Vestings, Quiltings, and Bedford Cords, White, not over 30 ins. by 30 yds.	Piece	4.749	0.24
16	Cambrics, Lawns, and Muslins, White, Plain, not over 46 ins. by 12 yds.	Piece	0.810	0.041
17	Cambrics, Lawns, and Muslins, White, Figured, not over 46 ins. by 12 yds.	Value 5 per cent.		
18	Cambrics, Lawns, and Muslins, Dyed, Plain or Figured, not over 46 ins. by 12 yds.	Value 5 per cent.		
19	White or Dyed, Plain or Figured Muslins Lawns, Cambrics, Limbrics, Pongees, Brocades, and Striped, Spotted, Corded, and Figured Shirtings:— (a) Not over 30 ins. by 31 yds. (b) Over 30 ins. but not over 37 ins. by 42 yds.	Piece Piece	4.443 5.000	0.22 0.25
20	Lenos, White or Dyed, not over 31 ins. by 30 yds.	Piece	2.161	0.11
21	Leno Brocades, White or Dyed	Value 5 per cent.		
22	Dyed Shirtings and Sheetings, Plain:— (a) Not over 30 ins. by 33 yds. (b) Not over 30 ins. and over 33 yds., but not over 43 yds. (c) Not over 36 ins. by 21 yds. (d) Not over 36 ins. and over 21 yds. but not over 33 yds. (e) Not over 36 ins. and over 33 yds. but not over 43 yds.	Piece Piece Piece Piece Piece	2.7555 3.5905 2.1048 3.30759 4.30989	0.14 0.18 0.11 0.17 0.22
23	Dyed Drills and Jeans, Plain:— (a) Not over 31 ins. by 33 yds. (b) Not over 31 ins. and over 33 yds. but not over 43 yds.	Piece Piece	3.600 4.676	0.18 0.23

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value			Proposed Duty Rate	
		Per	Hk.	Tls.	Hk.	Tls.
	COTTON AND COTTON GOODS—(continued)					
	Cotton Piece Goods, Grey—Continued.					
24	Dyed T-Cloths, Embossed Canteons, Alpicianos, Real and Imitation, Turkey Reds, not over 32 ins. by 25 yds.: (a) Weight 3½ lb. and under (b) Weight over 3½ lb. but not over 5½ lb. (c) Weight over 5½ lb.	Piece..... Piece..... Piece.....	1.889 2.400 3.320		0.094 0.12 0.17	
25	Mercerized Crimps, White, Dyed, or Printed, Plain or Figured, not over 32 ins. by 32 yds.	Piece.....	5.478		0.27	
26	Oatmeal Crapes, White or Dyed, Plain or Figured, not over 33 ins. by 33 yds.	Piece.....	5.265		0.26	
27	Cotton Crape (excluding Oatmeal Crapes), Grey, Bleached, Dyed, Printed, or Dyed in the Yarn: (a) Not over 15 ins. wide..... (b) Over 15 ins. but not over 30 ins. wide....	Value 5 per cent. Yard..... Piece.....		0.106 4.540	0.0053 0.23	
28	Lastings, Italians, Satteens, Ribs, Cords, Moreens, Beatrice Twills, Tientsin Twills, Satteen Drills, Satteen Stripes, Repps, and Imitation (Wett-faced) Venetians, White or Dyed, Plain or Figured, not over 33 ins. by 33 yds.	Piece.....	8.0946		0.40	
29	Poplins and Venetians, White or Dyed, Plain, not over 33 ins. by 33 yds.	Piece.....	10.000		0.50	
30	Poplins and Venetians, White or Dyed, Figured, not over 33 ins. by 33 yds.					
31	Cotton Flannel or Flannelette of Plain or Twill Weave: (1) White, Dyed, or Printed, or Dyed in the Yarn, exclusive of Duplex or Reversible Prints: (a) Not over 25 ins. by 15 yds. (b) Over 25 ins. but not over 30 ins. by 15 yds. (c) Over 25 ins. but not over 30 ins. by 31 yds. (d) Over 30 ins. but not over 36 ins. by 15 yds. (e) Over 30 ins. but not over 36 ins. by 31 yds. (2) Duplex or Reversible Prints.....	Piece..... Piece..... Piece..... Piece..... Piece..... Value 5 per cent.	1.400 1.700 3.600 2.000 4.300		0.07 0.085 0.18 0.10 0.22	
32	Dyed Cotton Spanish Stripes: (a) Not over 32 ins. by 20 yds. (b) Over 32 ins. but not over 64 ins. by 20 yds.	Piece..... Piece..... Yard.....	2.241 4.482 0.2884		0.11 0.22 0.014	
33	Dyed Cotton Velvets and Velveteens, Plain, not over 26 ins. wide.					
34	Cotton Velvets and Velveteens, Printed, Figured, or Embossed, Velvet and Velveteen Cords, Corduroys, Fustians, Moleskins, and Plushes.	Value 5 per cent.				
35	Canvas, Cotton (including Cotton Duck), for sails, etc.	Yard.....	0.300		0.015	
36	Stockinet or Knitted Tissue: (a) Raised..... (b) Not Raised.....	Picul..... Value 5 per cent.	44.000		2.20	
37	Cotton Piece Goods, Printed:— Printed Cambrics, Printed Lawns, Printed Muslins, Printed Shirtings, Printed Sheetings, Printed T-Cloths, (including those known as Blue and White Printed T-Cloths), Printed Drills, Printed Jeans, Printed Diagonal Twills, Twill Cretonnes, Printed Silesias, Printed Repps (excluding Repp Cretonnes): (a) Not over 20 ins. wide..... (b) Over 20 ins. but not over 46 ins. by 12 yds. (c) Over 20 ins. but not over 32 ins. by 30 yds. (d) Over 32 ins. but not over 42 ins. by 30 yds.	Value 5 per cent. Piece..... Piece..... Piece.....		1.020 2.302 3.094	0.051 0.12 0.15	
38	Printed Mercerized Crimps. See No. 25. Printed Oatmeal Crapes and Oatmeal Crape Cretonnes, not over 32 ins. by 30 yds.	Piece.....	2.705		0.14	
39	Printed Cotton Crape. See No. 27. Printed Turkey Reds, Real and Imitation, not over 31 ins. by 25 yds.	Piece.....	2.068		0.10	
40	Printed Lenos, not over 31 ins. by 30 yds.	Piece.....	2.350		0.12	
41	Printed Satteens and Satinets, Printed Brocades (including Printed Fancy Woven Stripes or checks), Printed Italians, Printed Damasks, Printed Venetians, Printed Lastings, Printed Beatrice Twill, Printed Cords, Printed Poplins, Printed Moreens, not over 32 ins. by 30 yds.	Piece.....	5.000		0.25	

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. Tls.
	COTTON AND COTTON GOODS—(continued)			
	Cotton Piece Goods, Printed—Continued.			
42	Printed Flannelette. See No. 31.			
	Duplex or Reversible Prints of Shirting Weave and one colour only, not over 32 ins. by 30 yds.	Piece.....	3.000	0.15
43	Printed Velvets and Velvetens. See No. 34.			
	Printed Domestic Cretonnes, Printed Satteen Cretonnes, Printed Repp Cretonnes, Printed Embossed Figures, Printed Art Muslins and Casement Cloth, Printed Cotton Coatings, Trouserings, and Gabardines, and all other Duplex or Reversible Prints except those enumerated in Classes 37 and 42.	Value 5 per cent...	.....	.....
	Printed blankets. See No. 45.			
	Printed Handkerchiefs. See No. 48.			
	The term "Printed" in this Tariff includes Pigment Style, Direct Printing Style, Steam Style, Discharge Style, Madder or Dyed Style, Resist Style, Resist Pad Style, Metal Style, and so forth, irrespective of finish.			
	The term "Duplex or Reversible Print" in this Tariff includes all Printed Cottons having (a) a different pattern printed on each side of the cloth, (b) the same design on both sides of the cloth, whether printed with one or more rollers.			
	Cotton Piece Goods, Yarn-dyed:—			
	Cotton Crape. See No. 27.			
	Cotton Flannel, or Flannelette. See No. 31.			
	Stockinet. See No. 36.			
	Not otherwise enumerated.....	Value 5 per cent...	.....	.....
	Cotton Piece Goods, not otherwise enumerated.....	Value 5 per cent...	.....	.....
	Cotton, Raw, Cotton Thread, Cotton Yarn, and Goods made of Cotton:—			
44	Ankle Bands, Plain or Decorated.....	Picul.....	80.000	4.00
	Bags, new. See No. 529.....	Picul.....	40.000	2.00
45	Blankets, Plain, Printed, or Jacquard (including those with a taped or whipped edge of Silk or other material), and Blanket Cloth.	Picul.....	40.000	2.00
	Canvas. See No. 35.			
	Crape. See No. 27.			
46	Counterpanes, Honeycomb or Alhambra:			
	(a) Not over 2½ yds. long.....	Picul.....	45.000	2.25
	(b) Over 2½ yds. long.....	Value 5 per cent...	.....	.....
47	Embroidered Edging or Insertion, Machine-Made Flannelette. See No. 31.	Value 5 per cent...	.....	.....
48	Handkerchiefs, neither Embroidered nor Initialed:			
	(1) White, Dyed, or Printed, Hemmed, (but not with a drawn-thread hem):			
	(a) Not over 13 ins. square.....	Dozen.....	0.220	0.011
	(b) Over 13 ins. square but not over 18 ins. square.....	Dozen.....	0.360	0.018
	(c) Over 18 ins. square but not over 30 ins. square.....	Dozen.....	0.530	0.027
	(2) White, Dyed, or Printed, with drawn-thread hem:			
	(a) Not over 13 ins. square.....	Dozen.....	0.360	0.018
	(b) Over 13 ins. square but not over 18 ins. square.....	Dozen.....	0.750	0.038
	(c) Over 18 ins. square but not over 30 ins. square.....	Dozen.....	0.920	0.046
	(3) Printed handkerchiefs, Unhemmed:			
	(a) Not over 18 ins. square.....	Dozen.....	0.190	0.01
	(b) Over 18 ins. square but not over 25 ins. square.....	Dozen.....	0.640	0.032
	(c) Over 25 ins. square, but not over 29 ins. square.....	Dozen.....	0.800	0.04
	(d) Over 29 ins. square but not over 34 ins. square.....	Dozen.....	1.030	0.052
49	Knitted Clothing, Raised, (including that stitched with Silk Thread and with facings of Silk or other material).....	Picul.....	74.000	3.70
50	Raw Cotton.....	Picul.....	16.000	0.80
51	Singlets or Drawers, not Raised (including those stitched with Silk Thread and with facings of Silk or other material).....	Dozen.....	2.800	0.14

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. Tls.
	COTTON AND COTTON GOODS—(continued)			
	Cotton, raw, etc.—Continued.			
52	Socks and Stockings:			
	(a) Not Raised on either side:			
	(1) Made of Ungassed or Unmercer- ized Thread.....	Picul.....	70.000	3.50
	(2) Made of Gassed or Mercerized Thread or stitched or em- broidered with Silk.....	Picul.....	150.000	7.50
	(b) Raised.....	Value 5 per cent.....		
	(c) Others.....	Value 5 per cent.....		
53	Stockinet. See No. 36.			
	Towels:			
	(a) Turkish.....	Picul.....	50.000	2.50
54	(b) Honeycomb or Huckaback.....	Picul.....	44.000	2.20
	Thread, Dyed or Undyed (irrespective of finish):—			
	(1) Sewing Cotton:			
	(a) In Balls or skeins:			
	3-cord.....	Picul.....	100.000	5.00
	6-cord.....	Picul.....	190.000	9.50
	(b) On spools or cops:			
	2-cord, 50 yds. or less.....	Gross.....	0.586	0.029
	3-cord, 50 yds. or less.....	Gross.....	0.788	0.039
	6-cord, 50 yds. or less.....	Gross.....	1.458	0.073
	Other lengths in proportion.			
	(2) Crochet or Embroidery Cotton, in skeins or balls.....	Picul.....	82.449	4.10
55	Waste Cotton.....	Picul.....	9.600	0.48
56	Yarn:—			
	(1) Grey (irrespective of fold):			
	(a) Counts up to and including 17.....	Picul.....	25.500	1.28
	(b) Counts above 17 and up to and including 23.....	Picul.....	27.668	1.38
	(c) Counts above 23 and up to and including 35.....	Picul.....	38.000	1.90
	(d) Counts above 35 and up to and including 45.....	Picul.....	43.600	2.18
	(e) Counts above 45.....	Value 5 per cent.....		
	(2) Dyed, Bleached, Gassed, Mercerized, etc.	Value 5 per cent.....		
	WOOL, SILK, LINEN, AND HEMP GOODS			
	Flax, Hemp, and Jute Goods:—			
57	Gunny Bags, New.....	Picul.....	8.480	0.42
58	Gunny Bags, Old.....	Value 5 per cent.....		
59	Hemp.....	Picul.....	14.000	0.70
60	Hemp or Hessian Bags, New.....	Picul.....	18.900	0.95
61	Hemp or Hessian Bags, Old.....	Value 5 per cent.....		
62	Hessian Cloth.....	Picul.....	18.000	0.90
63	Canvas of Hemp and Jute for Sails, etc.....	Yard.....	0.38165	0.019
64	Canvas Linen (elastic), for Tailoring.....	Value 5 per cent.....		
65	Tarpaulin of Hemp or Jute.....	Yard.....	0.229	0.011
	Silk Goods and Silk Mixtures:—			
66	Silk Piece Goods (all Silk), Plain, Figured, or Brocaded.....	Value 5 per cent.....		
67	Silk Plushes and Silk Velvets, Pure.....	Catty.....	10.984	0.55
68	Silk Seal, with cotton back.....	Catty.....	2.9418	0.15
69	Silk Socks and Stockings, Knitted (including those made of Artificial Silk).....	Catty.....	7.000	0.35
70	Silk Mixture Plushes and Velvets (i. e., made of silk mixed with other fibrous material, with Cotton back).....	Catty.....	2.6537	0.13
71	Silk and Cotton Satins, White or Dyed in the Piece:			
	(a) Plain.....	Catty.....	2.533	0.13
	(b) Figured.....	Catty.....	3.233	0.16
72	Silk and Cotton Satins, Dyed in the yarn.....	Catty.....	4.000	0.20
73	Silk and Cotton Mixtures, not otherwise enu- merated.....	Value 5 per cent.....		
74	Silk Ribbons, all Silk and Mixtures.....	Value 5 per cent.....		
75	Wool and Cotton Unions:—			
	Union Shirtings, not over 33 ins. wide.....	Yard.....	0.4853	0.024

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. T's.
	WOOL, SILK, LINEN, AND HEMP GOODS—(continued)			
	Wool and Cotton Unions—Continued.			
76	Cloth made of remanufactured Wool and Cotton, such as Meltons, Vicunas, Beavers, Army Cloths, Union Cloths, Leather Cloths, Presidents (including Cloth containing a small quantity of new Wool for facing purposes), not over 56 ins. wide.	Yard.....	0.800	0.04
77	Italian Cloth, Plain or Figured, Alpacas, Lustres, Orleans, and Sicilians.	Value 5 per cent. . .	.....	.....
	Wool and Woolen Goods:—			
78	Wool, Sheep's.....	Picul.....	17.000	0.85
79	Blankets and Rugs.....	Pound.....	0.560	0.028
80	Bunting, not over 24 ins. by 40 yds.....	Piece.....	6.560	0.33
81	Camlets, not over 31 ins. by 62 yds.....	Piece.....	15.600	0.78
82	Flannel, not over 33 ins. wide.....	Yard.....	0.480	0.024
83	Lastings, Plain, Figured, or Craped, not over 31 ins. by 32 yds.....	Piece.....	14.620	0.73
84	Llama Braid.....	Picul.....	150.000	7.50
85	Long Ellis, not over 31 ins. by 25 yds.....	Piece.....	6.557	0.33
86	Russian, Broad, Superfine, Medium, and Habit Cloth, not over 76 ins. wide.....	Yard.....	1.520	0.076
87	Spanish Stripes, not over 64 ins. wide.....	Yard.....	0.636	0.032
88	All Woolen and Worsted Yarn and Cord, including Berlin Wool.	Picul.....	120.000	6.00
	METALS.			
89	Aluminaum.....	Value 5 per cent. . .	.....	.....
90	Aluminum Sheets.....	Value 5 per cent. . .	.....	.....
91	Antifriction Metal.....	Value 5 per cent. . .	.....	.....
92	Antimony Regulus and Refined.....	Picul.....	14.000	0.70
93	Antimony Ore.....	Value 5 per cent. . .	.....	.....
	Brass and Yellow Metal:—			
94	Bars and Rods.....	Picul.....	30.183	1.50
95	Bolts, Nuts, Rivets, Washers, and Accessories.....	Value 5 per cent. . .	.....	.....
96	Ingots.....	Picul.....	30.183	1.50
97	Nails.....	Picul.....	36.765	1.80
98	Old (fit only for remanufacture).....	Value 5 per cent. . .	.....	.....
99	Screws.....	Value 5 per cent. . .	.....	.....
100	Sheets and Plates.....	Picul.....	30.183	1.50
101	Tubes.....	Picul.....	47.809	2.40
102	Wire.....	Picul.....	30.183	1.50
	Copper:			
103	Bars and Rods.....	Picul.....	33.950	1.70
104	Bolts, Nuts, Rivets, and Washers.....	Value 5 per cent. . .	.....	.....
105	Ingots and Slabs.....	Picul.....	28.000	1.40
106	Nails.....	Picul.....	47.385	2.40
107	Old (fit only for remanufacture).....	Value 5 per cent. . .	.....	.....
108	Sheets and Plates.....	Picul.....	33.950	1.70
109	Tacks.....	Value 5 per cent. . .	.....	.....
110	Tubes.....	Value 5 per cent. . .	.....	.....
111	Wire.....	Picul.....	33.950	1.70
112	Wire Cable.....	Value 5 per cent. . .	.....	.....
113	Wire Rope.....	Value 5 per cent. . .	.....	.....
	Iron and Steel, Ungalvanized (not including Bamboo, Spring, and Tool Steel):—			
114	Any-le, Swage-blocks, Anchors, and Parts of, and Forgings (each weighing in every case 25 lbs. or over.)	Picul.....	11.484	0.57
115	Bolts, Nuts, and Washers.....	Value 5 per cent. . .	.....	.....
116	Castings, Rough.....	Picul.....	5.132	0.26
117	Chains, and Parts of.....	Picul.....	7.667	0.38
118	Cobbles, Wire Shorts, Defective Wire, Bar Croppings, and Bar Ends, Galvanized or Ungalvanized.	Picul.....	2.658	0.13
119	Crossings for Railways.....	Value 5 per cent. . .	.....	.....
120	Fish-plates and Spikes.....	Value 5 per cent. . .	.....	.....
121	Hoops.....	Picul.....	5.451	0.27
122	Old (fit only for remanufacture).....	Picul.....	1.946	0.10
123	Nail-rod, Bars, Twisted or Deformed Bars, Tees, Channels, Angles, Joists, Girders, and other Structural Sections or Shapes.	Picul.....	4.080	0.20
124	Nails, Wire and Cut.....	Picul.....	5.946	0.30
125	Pig and Kentledge.....	Picul.....	2.000	0.10
126	Pipes, Tubes, and Pipe and Tube fittings.....	Value 5 per cent. . .	.....	.....

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. Tls.
METALS—(continued)				
Iron and Steel, etc.—Continued.				
127	Plate Cuttings	Picul.	2.311	0.12
128	Rails	Picul.	3.120	0.16
129	Rivets	Picul.	6.287	0.31
130	Screws	Value 5 per cent		
131	Sheets and Plates $\frac{1}{2}$ of an inch thick or more	Picul.	4.000	0.20
132	Sheets and Plates under $\frac{1}{2}$ of an inch thick	Picul.	5.000	0.25
133	Tacks	Picul.	9.047	0.45
134	Wire	Picul.	5.241	0.26
135	Wire Rope, Galvanized or Ungalvanized, with or without fibre core	Picul.	14.924	0.75
Steel, Tool and Spring:—				
136	Bamboo Steel	Picul.	5.486	0.27
137	Spring Steel	Picul.	6.420	0.32
138	Tool Steel (including High-speed Steel)	Value 5 per cent		
Iron and Steel, Galvanized:—				
139	Bolts, Nuts, Rivets, and Washers	Value 5 per cent		
140	Pipes, Tubes, and Tube fittings	Value 5 per cent		
141	Screws	Value 5 per cent		
142	Sheets, Corrugated and Plain	Picul.	7.400	0.37
143	Wire	Picul.	6.072	0.30
	Wire Rope. See Ungalvanized.			
	Wire Shorts. See Ungalvanized.			
144	Iron and Tin Dross	Picul.	6.000	0.30
Lead:—				
145	Old (fit only for remanufacture)	Value 5 per cent		
146	Pigs or Bars	Picul.	9.000	0.45
147	Pipe	Picul.	9.961	0.50
148	Sheet	Picul.	11.834	0.59
149	Wire	Value 5 per cent		
150	Manganese	Value 5 per cent		
151	Manganese, Ferro	Value 5 per cent		
152	Nickel	Picul.	70.000	3.50
153	Quicksilver	Picul.	126.654	6.30
Tin:—				
154	Compound	Value 5 per cent		
155	Dross and Refuse	Picul.	10.885	0.54
156	Ingots and Slabs	Picul.	45.462	2.30
157	Pipe	Value 5 per cent		
158	Sheet	Picul.	41.208	2.10
159	Tinned Tacks	Picul.	9.047	0.45
160	Tinned Plates, Decorated	Picul.	10.176	0.51
161	Tinned Plates, Plain	Picul.	7.800	0.39
162	Tinned Plates, Old	Value 5 per cent		
163	Type Metal	Value 5 per cent		
White Metal or German Silver:—				
164	Bars, Ingots, and Sheets	Picul.	54.531	2.70
165	Wire	Picul.	43.444	2.20
Zinc:—				
166	Powder and Spelter	Picul.	12.946	0.65
167	Sheets (including Perforated), Plates, and Boiler Plates	Picul.	16.849	0.84
FOOD, DRINK, AND MEDICINE.				
Fishery and Sea Products:—				
168	Agar-agar	Picul.	6.000	0.30
169	Awabi, in bulk	Picul.	52.500	2.60
170	Bicho de Mar, Black, Spiked	Picul.	53.300	2.70
171	Bicho de Mar, Black, Not Spiked	Picul.	40.000	2.00
172	Bicho de Mar, White	Picul.	20.000	1.00
173	Cockles, Dried	Picul.	13.822	0.69
174	Cockles, Fresh	Picul.	1.200	0.06
175	Compoys	Picul.	43.000	2.15
176	Crabs' Flesh, Dried	Picul.	16.518	0.83
177	Fish Bones	Value 5 per cent		
178	Fish, Cod, Dried	Picul.	5.800	0.29
179	Fish, Cuttle	Picul.	13.600	0.68
180	Fish, Dried, and Smoked (not including Dried Codfish and Cuttle-fish)	Picul.	9.739	0.49
181	Fish, Fresh	Picul.	6.410	0.32
182	Fish Maws, 1st Quality (i. e. weighing 1 catty or over per piece)	Catty	5.000	0.25
183	Fish Maws, 2nd Quality (i. e. weighing under 1 catty per piece)	Picul.	56.000	2.80
184	Fish Salmon Bellies	Value 5 per cent		

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. Tls.
	FOOD, DRINK, AND MEDICINE—(continued)			
	Fishery and Sea Products—Continued.			
185	Fish, Salt.....	Picul.....	3.600	0.18
186	Fish Skin.....	Picul.....	12.711	0.64
187	Mussels, Oysters, and Clams, Dried.....	Picul.....	16.000	0.80
188	Prawns and Shrimps, Dried, in bulk.....	Picul.....	22.000	1.10
189	Seaweed, Cut.....	Picul.....	3.334	0.17
190	Seaweed, Long.....	Picul.....	2.500	0.13
191	Seaweed, Prepared.....	Picul.....	26.000	1.30
192	Seaweed, Red.....	Value 5 per cent.....		
193	Sharks' Fins, Dorsal and Tail.....	Picul.....	88.660	4.40
194	Sharks' Fins, Breast Fins.....	Picul.....	37.173	1.90
195	Sharks' Fins, Prepared.....	Picul.....	128.562	6.40
196	Sharks' Skins.....	Value 5 per cent.....		
	Animal Products, Canned Goods, and Groceries:—			
197	Bacon and Hams, in bulk.....	Picul.....	35.300	1.80
198	Baking Powder.....	Value 5 per cent.....		
199	Beef, Corned, or Pickled, in Barrels.....	Value 5 per cent.....		
200	Birds' Nests, Black (including Clarified Refuse).....	Catty.....	3.000	0.15
201	Birds' Nests, White.....	Catty.....	18.000	0.90
202	Butter.....	Picul.....	53.276	2.70
	Canned Goods:—			
	Asparagus.....	Picul (incl. weight of immediate pack- ing).....	17.500	0.88
203	Awabi.....	Picul.....	24.000	1.20
204	Cream and Milk, Evaporated or Sterilized.....	Picul.....	13.000	0.65
206	Fruits, Table and Pie.....	Picul (Incl. weight of immediate pack- ing).....	14.500	0.73
207	Milk, Condensed.....	Picul.....	19.200	0.96
208	Canned Goods, Unenumerated.....	Value 5 per cent.....		
209	Chocolate.....	Value 5 per cent.....		
210	Cocoa.....	Value 5 per cent.....		
211	Coffee.....	Value 5 per cent.....		
212	Currants and Raisins, in bulk.....	Picul.....	12.677	0.63
213	Fruits, Preserved, in Glass, etc.....	Value 5 per cent.....		
214	Honey.....	Value 5 per cent.....		
215	Jams and Jellies.....	Value 5 per cent.....		
216	Lard, in bulk.....	Value 5 per cent.....		
217	Macaroni and Vermicelli, in bulk.....	Picul.....	9.125	0.46
218	Margarine.....	Value 5 per cent.....		
219	Meats, Dried and Salted.....	Value 5 per cent.....		
220	Pork Hind.....	Value 5 per cent.....		
221	Sausages, Dry.....	Value 5 per cent.....		
222	Soy.....	Picul.....	5.000	0.25
223	Tea.....	Value 5 per cent.....		
	Cereals, Fruits, Medicinal Substances, Seeds, Spices, and Vegetables:—			
224	Aniseed, Star:			
	(a) 1st Quality, Value Hks. Tls. 15 and over per picul.....	Picul.....	20.000	1.00
	(b) 2nd Quality, Value under Hk. Tls. 15 per picul.....	Picul.....	9.000	0.45
225	Apples, Fresh.....	Picul.....	5.000	0.25
226	Asafoetida.....	Value 5 per cent.....		
227	Barley, Pearl.....	Value 5 per cent.....		
228	Beans and Peas.....	Value 5 per cent.....		
229	Betelnuts, Dried.....	Picul.....	4.700	0.24
230	Betelnut Husk, Dried.....	Picul.....	2.300	0.12
231	Bran.....	Picul.....	1.600	0.08
232	Cereals and Flour (including Barley, Maize, Millet, Oats, Paddy, Rice, Wheat, and Flour made therefrom; also Buckwheat and Buckwheat Flour, Cornflour and Yellow Corn Meal, Rye Flour, and Hovis Flour; but not including Arrowroot and Arrowroot Flour, Cracked Wheat, Germea, Hominy, Pearl Barley, Potato Flour, Quaker Oats, Rolled Oats, Sago and Sago Flour, Shredded Wheat, Tapioca and Tapioca Flour, and Yam Flour).....		Free	
233	Camphor, Crude and Refined (including shaped).....	Picul.....	66.000	3.30
234	Camphor, Baroos, Clean.....	Catty.....	62.000	3.10
235	Camphor, Baroos, Refuse.....	Value 5 per cent.....		
236	Capoor Cutchery.....	Value 5 per cent.....		
237	Cardamom Husk.....	Picul.....	5.000	0.25
238	Cardamoms, Inferior.....	Picul.....	20.000	1.00
239	Cardamoms, Superior.....	Picul.....	200.000	10.00

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. Tls.
	FOOD, DRINK, AND MEDICINE—(continued)			
	Cereals, Fruits, etc.—Continued.			
240	Cassia Lignea and Buds	Picul.	18.000	0.90
241	Cassia Twigs	Picul.	3.600	0.18
242	Chestnuts	Value 5 per cent		
243	China-root	Picul.	14.000	0.70
244	Cinnamon, in bulk	Picul.	100.000	5.00
245	Cloves, in bulk	Picul.	18.000	0.90
246	Cloves, Mother	Picul.	8.000	0.40
247	Cocaine	Value 5 per cent		
248	Galangal	Picul.	3.700	0.19
249	Ginseng, Clarified or Cleaned:			
	1st Quality (value over Hk. Tls. 25 per catty)	Catty	56.000	2.80
	2nd Quality (value over Hk. Tls. 11 and not over Hk. Tls. 25 per catty).	Catty	22.000	1.10
	3rd Quality (value over Hk. Tls. 3 and not over Hk. Tls. 11 per catty).	Catty	7.200	0.36
	4th Quality (value not over Hk. Tls. 3 per catty).	Catty	1.800	0.09
250	Ginseng, Crude, Beard, Roots, and Cuttings:			
	1st Quality (value over Hk. Tls. 3 per catty)	Catty	4.400	0.22
	2nd Quality (value not over Hk. Tls. 3 per catty).	Catty	1.700	0.085
251	Ginseng, Wild	Value 5 per cent		
252	Groundnuts, in shell	Picul.	3.000	0.15
253	Groundnuts, Shelled	Picul.	4.600	0.23
254	Hops	Value 5 per cent		
255	Isinglass, Vegetable	Picul.	53.000	2.70
256	Lemons, Fresh	Thousand	29.000	1.50
257	Lichees, Dried	Picul.	10.600	0.53
258	Lily Flowers, Dried	Picul.	9.400	0.47
259	Lungnan Pulp	Picul.	13.000	0.65
260	Lungnans, Dried	Picul.	7.600	0.38
261	Malt	Picul.	8.102	0.41
262	Morphia in all forms	Value 5 per cent		
263	Mushrooms	Picul.	47.000	2.40
264	Nutmegs	Picul.	30.000	1.50
265	Olives	Value 5 per cent		
266	Opium, Tincture of	Value 5 per cent		
267	Oranges, Fresh	Picul.	3.600	0.18
268	Peel, Orange, in bulk	Picul.	13.000	0.65
269	Pepper, Black	Picul.	19.400	0.97
270	Pepper, White	Picul.	32.000	1.60
271	Potatoes, Fresh	Value 5 per cent		
272	Putchuck	Picul.	38.000	1.90
273	Seed, Apricot	Picul.	26.800	1.30
274	Seed, Lily Flower (i. e. Lotusnuts without Husks)	Picul.	20.000	1.00
275	Seed, Lucraban	Picul.	7.000	0.35
276	Seed, Melon	Picul.	11.000	0.55
277	Seed, Pine (i. e., Fir-nuts)	Picul.	4.800	0.24
278	Seed, Sesamum	Picul.	4.800	0.24
279	Vegetables, Dried, Prepared, and Salted	Value 5 per cent		
	Sugar:—			
280	Sugar, Brown, under No. 11 Dutch Standard, and "Green Sugar."	Picul.	4.400	0.22
281	Sugar, White, over No. 10 Dutch Standard (in- cluding Refined Sugar).	Picul.	6.200	0.31
282	Sugar, White, Cube and Loaf	Picul.	10.000	0.50
283	Sugar Candy	Picul.	7.400	0.37
284	Sugar Cane	Picul.	1.000	0.05
	Wines, Beer, Spirits, Table Waters, etc.:—			
285	Champagne and any other Wine sold under the label "Champagne".	Case of 12 bottles or 24 half-bottles	20.000	1.00
286	Sparkling Asti	"	10.000	0.50
287	Other Sparkling Wines	Case of 12 bottles or 24 half-bottles	12.000	0.60
288	Still Wines, Red or White, Exclusively the pro- duce of the natural fermentation of grapes (not including Vins de Liqueur):—			
	(1) In Bottles	Case of 12 bottles or 24 half-bottles	6.000	0.30
	(2) In bulk	Imperial gallon	0.700	0.035
289	Port Wine, in Bottles	Case of 12 bottles or 24 half-bottles	14.000	0.70
290	Port Wine, in bulk	Imperial gallon	3.500	0.18

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. Tls.
FOOD, DRINK, AND MEDICINE—(continued)				
291	Wines, Beer, etc.—Continued			
	Marsala, in Bottles.....	Case of 12 bottles or 24 half bottles	8.000	0.40
292	Marsala, in bulk.....	Imperial gallon ...	2.000	0.10
293	Vins de Liqueur other than Port and Marsala (viz., Madeira, Malaga, Sherry, etc.):—			
	(1) In Bottles.....	Case of 12 bottles or 24 half bottles	10.000	0.50
	(2) In bulk.....	Imperial gallon ...	3.000	0.15
294	Vermouth, Byrrh, and Quinquina.....	Case of 12 litres ..	5.800	0.29
295	Saké, in Barrels.....	Picul.....	5.200	0.41
296	Saké, in Bottles.....	12 reputed quarts or 24 reputed pints	2.000	0.10
297	Ale, Beer, Cider, Perry, and similar Liquors made of Fruits and Berries:—			
	(1) In Bottles.....	12 reputed quarts or 24 reputed pints	1.580	0.079
	(2) In Casks.....	Imperial gallon ..	0.540	0.027
298	Porter and Stout, in Bottles.....	12 reputed quarts or 24 reputed pints	2.560	0.13
299	Porter and Stout, in Casks.....	Imperial gallon ...	0.550	0.028
300	Brandy, Cognac, and Whisky, in bulk.....	Imperial gallon ...	2.600	0.13
301	Brandy and Cognac, in Bottles.....	Case of 12 reputed quarts	13.400	0.67
302	Whisky, in Bottles.....	Case of 12 reputed quarts	7.000	0.35
303	Gin, in Bottles.....	Case of 12 reputed quarts	4.600	0.23
304	Gin, in bulk.....	Imperial gallon ...	1.800	0.09
305	Other Spirits (i. e., Rum, Aquavit, Vodka, Punch, etc.):—			
	(1) In Bottles.....	Case of 12 reputed quarts	4.000	0.20
	(2) In bulk.....	Imperial gallon ...	1.800	0.09
306	Liqueurs.....	12 reputed quarts or 24 reputed pints	10.000	0.50
307	Waters, Table, Aerated and Mineral.....	12 bottles or 24 half- bottles.....	1.400	0.07
308	Spirits of Wine and Rectified Spirits or Alcohol	Imperial gallon ...	0.560	0.028
TOBACCO				
309	Cigarettes, value over Hk. Tls. 4.50 per 1,000 and all Cigarettes not bearing a distinctive brand or name on each Cigarette.	Thousand.....	6.600	0.33
310	Cigarettes, value over Hk. Tls. 3.00 but not over Hk. Tls. 4.50 per 1,000.	Thousand.....	3.800	0.19
311	Cigarettes, value over Hk. Tls. 1.50 but not over Hk. Tls. 3.00 per 1,000.	Thousand.....	2.200	0.11
312	Cigarettes, value Hk. Tls. 1.50 or less per 1,000.....	Thousand.....	1.200	0.06
313	Cigars.....	Thousand.....	16.000	0.80
314	Snuff.....	Value 5 per cent ..		
315	Tobacco, Leaf.....	Picul.....	22.000	1.10
316	Tobacco, Prepared, in tins or packages, under 5 lbs. each	Value 5 per cent ..		
317	Tobacco, Prepared, in bulk (not packed in tins or tin- lined cases).	Picul.....	22.000	1.10
318	Tobacco stalk.....	Picul.....	5.600	0.28
CHEMICALS AND DYES				
Chemicals:—				
319	Acid, Acetic.....	Picul.....	30.639	1.50
320	Acid Boracic.....	Picul.....	21.448	1.10
321	Acid, Carbolic.....	Value 5 per cent ..		
322	Acid, Hydrochloric (i. e. Muriatic).....	Value 5 per cent ..		
323	Acid, Nitric.....	Picul.....	14.282	0.71
324	Acid, Sulphuric.....	Picul.....	3.317	0.17
325	Ammonia, in bulk.....	Picul.....	26.513	1.30
326	Ammonia, Chloride of (i. e. Sal Ammoniac).....	Picul.....	17.823	0.89
327	Ammonia, Sulphate of.....	Picul.....	7.438	0.37
328	Bleaching Powder (i. e. Chloride of Lime).....	Picul.....	5.469	0.27
329	Borax, Crude or Refined.....	Picul.....	11.521	0.58
330	Calcium, Carbide of.....	Picul.....	7.451	0.37
331	Copper, Sulphate of.....	Picul.....	11.913	0.60
332	Glycerine.....	Picul.....	43.930	2.20
333	Hide Specific.....	Value 5 per cent ..		

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. Tls.
CHEMICALS AND DYES—(continued)				
334	Chemicals—Continued. Manure, Animal, Chemical, or Artificial, not otherwise enumerated.	Picul.....	2.951	0.15
335	Naphthalene.....	Picul.....	12.653	0.63
336	Saltpetre.....	Picul.....	9.324	0.47
337	Soda Ash.....	Picul.....	2.499	0.12
338	Soda, Bicarbonate of, in bulk.....	Picul.....	2.899	0.14
339	Soda, Caustic.....	Picul.....	6.200	0.31
340	Soda, Crystal.....	Picul.....	2.659	0.13
341	Soda, Crystal, Concentrated.....	Picul.....	3.178	0.16
342	Soda, Nitrate of (Chile Saltpetre).....	Picul.....	5.342	0.27
343	Soda, Silicate of.....	Picul.....	3.603	0.18
Dyes and Pigments:—				
344	Aniline Dyes not otherwise enumerated.....	Value 5 per cent ..	.....	.....
345	Bark, Mangrove.....	Picul.....	1.682	0.084
346	Bark, Plum-tree.....	Picul.....	3.187	0.16
347	Bark, Yellow (for Dyeing).....	Picul.....	4.948	0.25
348	Blue, Paris or Prussian.....	Picul.....	34.945	1.70
349	Bronze Powder.....	Picul.....	52.979	2.60
350	Carbon black (i. e. Lampblack).....	Picul.....	20.000	1.00
351	Carthamin.....	Value 5 per cent ..	.....	.....
352	Chrome Yellow.....	Value 5 per cent ..	.....	.....
353	Cinnabar.....	Picul.....	82.400	4.10
354	Cobalt, Oxide of.....	Value 5 per cent ..	.....	.....
355	Cochineal.....	Value 5 per cent ..	.....	.....
356	Cunao or False Gambier.....	Picul.....	3.340	0.17
357	Cutch or Gambier.....	Picul.....	10.000	0.50
358	Dyes and Colours, Unclassed.....	Value 5 per cent ..	.....	.....
359	Gamboge.....	Picul.....	56.951	2.80
360	Green, Emerald Schweinfurt, or Imitation.....	Picul.....	22.458	1.10
361	Hartall (Orpiment).....	Picul.....	9.562	0.48
362	Indigo, Dried, Artificial.....	Picul.....	125.881	6.30
363	Indigo, Dried, Natural.....	Picul.....	60.000	3.00
364	Indigo, Liquid or Paste, Artificial.....	Picul.....	40.000	2.00
365	Indigo, Liquid, Natural.....	Picul.....	6.000	0.30
366	Indoin.....	Value 5 per cent ..	.....	.....
367	Laka-wood.....	Picul.....	3.272	0.16
368	Lead, Red, White, and Yellow.....	Picul.....	10.294	0.51
369	Logwood Extract.....	Picul.....	15.492	0.77
370	Nutgalls.....	Picul.....	20.863	1.00
371	Ochre.....	Picul.....	6.545	0.33
372	Safflower.....	Picul.....	12.908	0.65
373	Sapanwood.....	Picul.....	2.744	0.14
374	Smalt.....	Picul.....	40.150	2.00
375	Turmeric.....	Picul.....	3.938	0.20
376	Ultramarine.....	Picul.....	13.862	0.69
377	Vermilion.....	Picul.....	82.400	4.10
378	Vermilion, Artificial.....	Value 5 per cent ..	.....	.....
379	White Zinc.....	Value 5 per cent ..	.....	.....
CANDLES, GUMS, OILS, SOAP, VARNISHES, WAX, AND MANUFACTURES OF				
380	Candles.....	Picul.....	12.600	0.63
381	Candlewick.....	Picul.....	75.200	3.80
382	Gasolene, Naphtha, and Benzine, Mineral:—			
	(a) In bulk.....	10 Am. galls.....	3.000	0.15
	(b) In case.....	Case of 2 tins each of 5 Am. galls.....	3.500	0.18
383	Grease, Lubricating, wholly or partly mineral.....	Picul.....	7.000	0.35
384	Gum Arabic.....	Picul.....	24.000	1.20
385	Gum Benjamin.....	Picul.....	12.000	0.60
386	Gum Copal.....	Picul.....	24.000	1.20
387	Gum Dragon's-blood.....	Picul.....	60.000	3.00
388	Gum Myrrh.....	Picul.....	9.600	0.48
389	Gum Olibanum.....	Picul.....	9.600	0.48
390	Gum Resin.....	Picul.....	6.800	0.34
391	Gum Shellac.....	Picul.....	40.000	2.00
392	Gum Sticklac.....	Picul.....	15.000	0.75
393	Gum Tragacanth.....	Picul.....	18.000	0.90
394	Oil, Castor, Lubricating.....	Picul.....	12.000	0.60
395	Oil, Castor, Medicinal.....	Value 5 per cent ..	.....	.....
396	Oil, Coconut.....	Picul.....	16.000	0.80

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. Tls.
	CANDLES, GUMS, OILS, SOAP, VARNISHES, WAX, AND MANUFACTURES OF—(continued)			
297	Oil, Kerosene:— (a) In case.....	Case of 2 tins, each of 5 Am. gallons.	2.200	0.11
	(b) In bulk.....	10 Am. galls.....	1.600	0.08
	(c) Tins, empty.....	Tin.....	0.200	0.01
	(d) Case and two empty tins.....	Each.....	0.540	0.027
298	Oil, Linseed.....	Imperial gallon...	1.200	0.06
299	Oil, Lubricating:— (a) Wholly or partly of Mineral origin.....	Am. gall.....	0.300	0.015
	(b) Other kinds, not otherwise enumerated.....	Am. gall.....	0.500	0.025
400	Oil, Olive, in bulk.....	Imperial gallon...	2.000	0.10
401	Soap, Household and Laundry (including Blue Mot- tled, in bulk, Bars, and Doublets: duty to be charged on nominal weights, provided that such weights be not less than true weights and that a bar does not weigh less than 7 oz.	Picul.....	8.800	0.44
402	Soap, Toilet and Fancy.....	Value 5 per cent ..		
403	Stearine.....	Picul.....	19.600	0.98
404	Turpentine:— (a) Mineral.....	Imperial gallon...	0.600	0.03
	(b) Vegetable.....	Imperial gallon...	0.800	0.04
405	Wax, Bees, Yellow.....	Picul.....	32.000	1.60
406	Wax, Paraffin.....	Picul.....	10.000	0.50
407	Wax, Vegetable.....	Picul.....	15.200	0.76
	PAPER, WOOD PULP, BOOKS, AND MAPS			
408	Paper, Cigarette, on bobbins	Picul (Incl. weight of bobbin)	40.00	2.00
409	Paper, Common Printing, Calendered and Uncalender- ed, Sized and Unsized, White and Coloured.	Picul.....	6.40	0.32
410	Paper, Marbled, Enamelled, and Glazed Flint.....	Picul.....	12.20	0.61
411	Paper, M. G. Cap, White and Coloured.....	Picul.....	6.40	0.32
412	Paper, Packing and Wrapping, Brown or Coloured	Picul.....	6.40	0.32
413	Paper, Printing, Calendered and Uncalendered, Sized and Unsized, White and Coloured, (including Simile and M. G. Poster, but not including Printing paper otherwise enumerated), free of mechanical wood pulp.	Picul.....	9.20	0.46
414	Paper, Strawboard.....	Value 5 per cent ..		
415	Paper, Unenumerated.....	Value 5 per cent ..		
416	Paper, Unglazed Tissue and M. G. Bleached Sulphite, free of mechanical wood pulp.	Picul.....	10.00	0.50
417	Paper, Writing, Drawing, Art Printing, Bank-note, Parchment, Pergamyn, and Greaseproof.	Value 5 per cent ..		
418	Wood Pulp, Chemical.....	Picul.....	6.00	0.30
419	Wood Pulp, Mechanical:— (a) Dry.....	Picul.....	3.32	0.17
	(b) Wet (not containing less than 40 per cent moisture).	Picul.....	1.66	0.083
420	Books.....		Free.....	
421	Charts and Maps.....		Free.....	
422	Newspapers and Periodicals.....		Free.....	
	ANIMAL SUBSTANCES, RAW AND PREPARED			
	Hides, Leather, and Skins (Furs):—			
423	Hides, Buffalo and Cow.....	Picul.....	22.00	1.10
424	Leather Belting.....	Value 5 per cent ..		
425	Leather, Calf, Kid, Enamelled, Japanned, Patent, and/or Coloured.	Picul.....	300.00	15.00
426	Leather, Cow (including that for Soles and Harness).	Picul.....	58.00	2.90
427	Leather, Cow, Enamelled, Japanned, and Patent	Picul.....	180.00	9.00
428	Skins (Furs), Beaver.....	Value 5 per cent ..		
429	Skins (Furs), Dog.....	Value 5 per cent ..		
430	Skins (Furs), Fox.....	Value 5 per cent ..		
431	Skins (Furs), Fox, Arctic, White.....	Value 5 per cent ..		
432	Skins (Furs), Fox Legs.....	Value 5 per cent ..		
433	Skins (Furs), Fox, Red.....	Value 5 per cent ..		
434	Skins (Furs), Goat, Tanned.....	Value 5 per cent ..		
435	Skins (Furs), Goat, Untanned.....	Value 5 per cent ..		
436	Skins (Furs), Hare and Rabbit.....	Value 5 per cent ..		
437	Skins (Furs), Lamb.....	Value 5 per cent ..		
438	Skins (Furs), Lamb, Unborn.....	Value 5 per cent ..		

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. Tls.
ANIMAL SUBSTANCES, RAW AND PREPARED—(contd.)				
Hides, Leather, and Skins (Furs)—Continued.				
439	Skins (Furs), Land-otter	Value 5 per cent ..	.....	.....
440	Skins (Furs), Lynx	Value 5 per cent ..	.....	.....
441	Skins (Furs), Marten, Untanned	Value 5 per cent ..	.....	.....
442	Skins (Furs), Musquash	Value 5 per cent ..	.....	.....
443	Skins (Furs), Raccoon	Value 5 per cent ..	.....	.....
444	Skins (Furs), Sable	Value 5 per cent ..	.....	.....
445	Skins (Furs), Sheep, Untanned	Value 5 per cent ..	.....	.....
446	Skins (Furs), Squirrel	Value 5 per cent ..	.....	.....
447	Skins (Furs), Wolf	Value 5 per cent ..	.....	.....
Bones, Feathers, Hair, Horns, Shells, Sinews, Tusks, etc:—				
448	Bones, Tiger	Picul.	56.00	2.80
449	Cow Bezoar, Indian	Value 5 per cent ..	.....	.....
450	Crocodile and Armadillo Scales	Picul.	59.00	3.00
451	Elephants' Tusks, Whole or Parts of	Catty.	3.60	0.18
452	Feathers, Kingfisher, Whole Skins	Hundred.	12.00	0.60
453	Feathers, Kingfisher, Part Skins (i. e., Wings, Tails, or Backs)	Hundred.	8.00	0.40
454	Feathers, Peacock	Value 5 per cent ..	.....	.....
455	Hair, Horse	Picul.	42.00	2.10
456	Hair, Horse Tails	Picul.	50.00	2.50
457	Horns, Buffalo and Cow	Picul.	13.00	0.65
458	Horns, Deer	Picul.	34.00	1.70
459	Horns, Deer, Old	Picul.	140.00	7.00
460	Horns, Deer, Young (northern)	Pair	50.00	2.50
461	Horns, Deer, Young (southern)	Value 5 per cent ..	.....	.....
462	Horns, Rhinoceros	Catty.	80.00	4.00
463	Musk	Catty.	180.00	9.00
464	Sea-horse Teeth	Value 5 per cent ..	.....	.....
465	Sinews, Cow and Deer	Picul.	20.00	1.00
TIMBER, WOOD, BAMBOOS, AND RATTANS				
Timber:—				
466	Laths	1000 pieces.	4.20	0.21
Ordinary (not including Teak and other enumer- ated Woods), Rough Hewn:				
467	Hardwood	1000 sup. ft., B. M.	29.00	1.45
468	Softwood	1000 sup. ft., B. M.	23.00	1.15
Ordinary, Sawn:				
469	Hardwood	1000 sup. ft., B. M.	36.00	1.80
470	Softwood	1000 sup. ft., B. M.	30.00	1.50
Ordinary, Manufactured (including any process further than simple sawing), exclusive of Masts and Spars:				
471	Hardwood:			
	(a) Clear, on net measure	1000 sup. ft., B. M.	60.00	3.00
	(b) Merchantable, on net measure	1000 sup. ft., B. M.	42.00	2.10
472	Softwood:			
	(a) Clear, on net measure	1000 sup. ft., B. M.	50.00	2.50
	(b) Merchantable, on net measure	1000 sup. ft., B. M.	36.00	1.80
473	Ordinary, Masts and Spars	Value 5 per cent ..	.....	.....
474	Railway Sleepers	Value 5 per cent ..	.....	.....
475	Teak-wood, Beams and Planks	1000 sup. ft., B. M.	135.00	6.75
Wood, Bamboos, Rattans, etc:—				
476	Canes, Bamboo	Thousand.	8.40	0.42
477	Rattan Skin	Picul.	15.00	0.75
478	Rattans, Core or Whole	Picul.	6.41	0.32
479	Rattans, Split	Picul.	6.70	0.34
480	Wood, Camagon	Picul.	3.20	0.16
481	Wood, Camphor	Value 5 per cent ..	.....	.....
482	Wood, Ebony	Value 5 per cent ..	.....	.....
483	Wood, Fragrant	Value 5 per cent ..	.....	.....
484	Wood, Garoo	Catty.	2.40	0.12
485	Wood, Kranjee	Value 5 per cent ..	.....	.....
	Wood, Laka. See Dyes.			
486	Wood, Lignum, vitæ	Value 5 per cent ..	.....	.....
487	Wood, Oil	Value 5 per cent ..	.....	.....
488	Wood, Puru	Picul.	1.80	0.09
489	Wood, Red and Rose	Picul.	4.10	0.21
490	Wood, Sandal	Picul.	8.60	0.43
491	Wood, Sandal Dust	Value 5 per cent ..	.....	.....
	Wood, Sapan. See Dyes.			
492	Wood, Scale Sticks	Piece.	0.18	0.009

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value		Proposed Duty Rate
		Per	Hk. Tls.	Hk. Tls.
	TIMBER, WOOD, BAMBOOS, AND RATTANS—(continued)			
493	Wood, Scented.....	Value 5 per cent ..	.....	.....
494	Wood, Shavings, Hinoki.....	Value 5 per cent ..	.....	.....
495	Wood, Veneer.....	Value 5 per cent ..	.....	.....
	In this tariff, by Softwood is meant the wood of any coniferous tree and of all trees with "needle" or spinous leaves, e.g., Pines, Firs, Spruces, Larches, Cedars, Yews, Junipers, and Cyprisses. The wood of all trees with broad leaves is to be classed as Hardwood.			
	COAL, FUEL, PITCH, AND TAR			
496	Coal.....	Ton.....	5.400	0.27
497	Coal Briquettes.....	Ton.....	10.000	0.50
498	Charcoal.....	Picul.....	1.093	0.05
499	Coke.....	Ton.....	10.902	0.55
500	Liquid Fuel.....	Ton.....	14.572	0.73
501	Pitch.....	Picul.....	4.709	0.24
502	Tar, Coal.....	Picul.....	1.600	0.08
	CHINAWARE, ENAMELLEDWARE, GLASS, ETC.			
503	Basins, Tin.....	Gross.....	6.000	0.30
504	Chinaware.....	Value 5 per cent ..	.....	.....
	Enamelled Ironware:—			
505	Mugs, Cups, Basins, and Bowls, not over 11 centimetres in diameter.....	Dozen.....	1.000	0.05
506	Basins and Bowls, over 22 centimetres, but not over 35 centimetres in diameter.....	Dozen.....	2.000	0.10
507	Enamelled Ironware, Unenumerated.....	Value 5 per cent ..	.....	.....
508	Glass and Crystal Ware.....	Value 5 per cent ..	.....	.....
509	Glass, Plate, Silvered, Bevelled or Unbevelled, not over 5 square feet each.....	Square foot.....	0.560	0.028
510	Glass, Plate, Silvered, Bevelled or Unbevelled, over 5 square feet each.....	Square foot.....	0.840	0.042
511	Glass, Plate, Unsilvered.....	Value 5 per cent ..	.....	.....
512	Glass, Window, Common, not over 32 oz. in weight per square foot.....	100 sq. ft.....	5.000	0.25
513	Glass, Window, Coloured.....	100 sq. ft.....	12.000	0.60
	EARTH, PRECIOUS STONES, STONES, AND ARTICLES MADE OF			
514	Amber.....	Value 5 per cent ..	.....	.....
515	Cement.....	Picul.....	0.900	0.045
516	Coral Beads.....	Catty.....	16.000	0.80
517	Cornelian Beads.....	Value 5 per cent ..	.....	.....
518	Cornelian Stones, Rough.....	Hundred.....	6.000	0.30
519	Corundum Sand.....	Picul.....	3.800	0.19
520	Fire-bricks.....	Value 5 per cent ..	.....	.....
521	Fireclay.....	Picul.....	1.220	0.061
522	Flints (including Flint Pebbles).....	Picul.....	0.800	0.04
523	Tiles.....	Value 5 per cent ..	.....	.....
	MISCELLANEOUS			
	Asbestos:—			
524	Asbestos Boiler Composition.....	Picul.....	3.600	0.18
525	Asbestos Fibre and Metallic Packing.....	Picul.....	64.000	3.20
526	Asbestos Millboard.....	Picul.....	8.000	0.40
527	Asbestos Sheets and Packing.....	Picul.....	44.000	2.20
528	Asbestos Yarn.....	Picul.....	40.000	2.00
	Bags, Mats, and Matting:—			
529	Bags, Cotton.....	Picul.....	40.000	2.00
530	Bags, Straw and Grass.....	Thousand.....	30.000	1.50
531	Mats, Coir, (Door).....	Dozen.....	8.000	0.40
532	Mats, Fancy.....	Value 5 per cent ..	.....	.....
533	Mats, Formosa Grass (Bed).....	Each.....	4.700	0.24
534	Mats, Rattan.....	Value 5 per cent ..	.....	.....
535	Mats, Rush.....	Hundred.....	71.000	3.60
536	Mats, Straw.....	Hundred.....	5.100	0.26
537	Mats, Tatami.....	Each.....	0.320	0.016
538	Matting, Coir, 36 ins. by 100 yds.....	Roll of 100 yds.....	37.100	1.90
539	Matting, Straw, 36 ins. by 40 yds.....	Roll of 40 yds.....	5.000	0.25

IMPORT TARIFF—(Continued)

No.	Name of Article	Agreed Value			Proposed Duty Rate
		Per	Hk.	Tls.	Hk. Tls.
	MISCELLANEOUS—(continued)				
	Buttons:—				
540	Buttons, Fancy (Glass Jewellery, etc.)	Value 5 per cent			
541	Buttons, Metal (not including those made of Precious Metals or plated with Precious Metals).	Gross	0.400		0.02
542	Buttons, Porcelain	12 gross	0.340		0.017
543	Buttons, Shell	Gross	0.420		0.021
	Fans, Umbrellas, and Sunshades:—				
544	Fans, Palm-leaf, Coarse	Thousand	7.000		0.35
545	Fans, Palm-leaf, Fancy	Thousand	20.000		1.00
546	Fans, Palm-leaf, Fine	Thousand	12.000		0.60
547	Fans, Paper or Cotton	Thousand	47.000		2.40
548	Fans, Silk	Value 5 per cent			
	Umbrellas and Sunshades:—				
549	With handles wholly or partly of precious Metals, Ivory, Mother-of-Pearl, Tortoiseshell, Agate, etc., or Jewelled.	Value 5 per cent			
550	With all other Handles, all Cotton:				
	(a) Length of rib not over 17 ins.	Value 5 per cent			
	(b) Length of rib over 17 ins.	Each	0.440		0.022
551	With all other Handles, Mixtures, not Silk	Each	0.730		0.037
552	With all other Handles, Silk and Silk Mixtures	Each	1.300		0.065
	Files and Needles:—				
	Files of all kinds:				
553	Filing Surface only, not over 4 ins. long	Dozen	1.300		0.065
554	Filing Surface only, over 4 ins. but not over 9 ins. long.	Dozen	2.700		0.14
555	Filing Surface only, over 9 ins. but not over 14 ins. long.	Dozen	5.000		0.25
556	Filing Surface only, over 14 ins. long	Dozen	12.000		0.60
557	Needles, Nos. 7/o and 6/o	100 mille	54.000		2.70
558	Needles, Nos. 3/o and 2/o	100 mille	50.000		2.50
559	Needles, Assorted (not including 7/o)	100 mille	40.000		2.00
	Matches and Match-making Materials:—				
	Matches, Wood, Safety or other:				
560	Small, in boxes not over 2 ins. by 1½ by ½ in.	100 gross box	18.400		0.92
561	Large, in boxes not over 2½ ins. by 1½ ins. by ½ in.	50 gross box	16.000		0.80
562	In boxes over above sizes	Value 5 per cent			
563	Chlorate of Potash	Picul	36.000		1.80
564	Emery and Glass Powder	Picul	2.400		0.12
565	Labels	Value 5 per cent			
566	Phosphorus	Picul	70.000		3.50
567	Wood shavings	Picul	2.200		0.11
568	Wood Splints	Picul	2.000		0.10
	Metal Threads and Foil:—				
569	Thread, Gold, Imitation, on Cotton	Catty	3.000		0.15
570	Thread, Silver, Imitation, on Cotton	Catty	1.800		0.09
571	Thread, Gold and Silver, Imitation, on Silk	Value 5 per cent			
572	Tinfoil	Picul	63.000		3.20
	Sundry:—				
573	Bamboo Baskets, Bamboo Blinds, and other Bamboo Ware	Value 5 per cent			
574	Bent-wood Chairs	Value 5 per cent			
575	Coir Yarn	Value 5 per cent			
576	Cordage and Twine	Value 5 per cent			
577	Emery-cloth and Sand-paper (sheet not over 144 square inches)	Ream	5.000		0.25
578	Furniture and other Wood ware	Value 5 per cent			
579	Glue (not including Fish Glue)	Picul	20.000		1.00
580	Glue, Cow, Refuse	Picul	20.000		1.00
581	Glue, Fish	Picul	75.857		3.80
582	India-rubber and Gutta-percha, Crude	Value 5 per cent			
583	India-rubber, Old or Waste	Value 5 per cent			
584	Inks of all kinds	Value 5 per cent			
585	Insect Powder	Value 5 per cent			
586	Lampwick	Picul	54.600		2.70
587	Leather Purses	Gross	11.200		0.56
588	Machines, Sewing and Knitting	Value 5 per cent			
589	Mirrors	Value 5 per cent			
590	Moulding, Picture	Value 5 per cent			
591	Oakum	Picul	12.600		0.63
592	Rope	Value 5 per cent			
593	Shoes and Boots	Value 5 per cent			
594	Starch	Value 5 per cent			
595	Sulphur	Value 5 per cent			
596	Tinder	Picul	9.000		0.45
597	Worm Tablets, in Bottles, not over 60 pieces	Dozen	0.740		0.037
598	Unenumerated Goods	Value 5 per cent			

ANNEX II

RULES

RULE I

Imports unenumerated in this Tariff will pay Duty at the rate of 5 per cent ad valorem; and the value upon which Duty is to be calculated shall be the wholesale market value of the goods in local currency. This market value when converted into Haikwan Taels shall be considered to be 12 per cent higher than the amount upon which Duty is to be calculated.

If the goods have been sold before presentation to the Customs of the Application to pay Duty, the gross amount of the bona fide contract will be accepted as evidence of the market value. Should the goods have been sold on c. f. and i. terms, that is to say, without inclusion in the price of Duty and other charges, such c. f. and i. price shall be taken as the value for Duty-paying purposes without the deduction mentioned in the preceding paragraph.

If the goods have not been sold before presentation to the Customs of the Application to pay Duty, and should a dispute arise between Customs and importer regarding the value or classification of goods, the case will be referred to a Board of Arbitration composed as follows:—

An official of the Customs;

A merchant selected by the Consul of the importer; and

A merchant, differing in nationality from the importer, selected by the Senior Consul.

Questions regarding procedure, etc., which may arise during the sittings of the Board shall be decided by the majority. The final finding of the majority of the Board, which must be announced within fifteen days of the reference (not including holidays), will be binding upon both parties. Each of the two merchants on the Board will be entitled to a fee of ten Haikwan Taels. Should the Board sustain the Customs valuation, or, in the event of not sustaining that valuation, should it decide that the goods have been undervalued by the importer to the extent of not less than $7\frac{1}{2}$ per cent., the importer will pay the fees; if otherwise, the fees will be paid by the Customs. Should the Board decide that the correct value of the goods is 20 per cent. (or more) higher than that upon which the importer originally claimed to pay Duty, the Customs authorities may retain possession of the goods until full Duty has been paid and may levy an additional Duty equal to four times the Duty sought to be evaded.

In all cases invoices, when available, must be produced if required by the Customs.

RULE II

The following will not be liable to Import Duty: Foreign Rice, Cereals, and Flour; Gold and Silver, both Bullion and Coin; Printed Books, Charts, Maps, Periodicals, and Newspapers.

A freight or part freight of Duty-free commodities (Gold and Silver Bullion and Foreign Coins excepted) will render the vessel carrying them, though no other cargo be on board, liable to Tonnage Dues.

Drawbacks will be issued for Ships' Stores and Bunker Coal when taken on board.

RULE III

Except at the requisition of the Chinese Government, or for sale to Chinese duly authorized to purchase them, Import trade is prohibited in all Arms, Ammunition, and Munitions of War of every description. No Permit to land them will be issued until the Customs have proof that the necessary authority has been given to the importer. Infraction of this rule will be punishable by confiscation of all the goods concerned. The import of Salt is absolutely prohibited.

RULE IV

The importation of opium and poppy seeds is absolutely prohibited. The importation of the following articles is prohibited except under bond by qualified medical practitioners, druggists and chemists: Morphia and cocaine and hypodermic syringes; anti-opium pills containing morphia, opium or cocaine, novocaine, stovaine, heroin, thebaine, ghanja, hashish, bhang, Cannabis indica, tincture of opium, laudanum, codeine, dionin, and all other derivatives of opium and cocaine.

TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF
COLOMBIA FOR THE SETTLEMENT OF THEIR DIFFERENCES ARISING OUT
OF THE EVENTS WHICH TOOK PLACE ON THE ISTHMUS OF PANAMA IN
NOVEMBER 1903¹

Signed at Bogotá, April 6, 1914; ratifications exchanged March 1, 1922

The United States of America and the Republic of Colombia, being desirous to remove all the misunderstandings growing out of the political events in Panama in November 1903; to restore the cordial friendship that formerly characterized the relations between the two countries, and also to define and regulate their rights and interests in respect of the interoceanic canal which the Government of the United States has constructed across the Isthmus of Panama, have resolved for this purpose to conclude a Treaty and have accordingly appointed as their Plenipotentiaries:

His Excellency the President of the United States of America, Thaddeus Austin Thomson, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Government of the Republic of Colombia; and

His Excellency the President of the Republic of Colombia, Francisco José Urrutia, Minister for Foreign Affairs; Marco Fidel Suárez, First Designate to

¹ U. S. Treaty Series, No. 661.

exercise the Executive Power; Nicolás Esguerra, Ex-Minister of State; José María González Valencia, Senator; Rafael Uribe Uribe, Senator; and Antonio José Uribe, President of the House of Representatives;

Who, after communicating to each other their respective full powers, which were found to be in due and proper form, have agreed upon the following:

ARTICLE I

The Republic of Colombia shall enjoy the following rights in respect to the interoceanic Canal and the Panama Railway, the title to which is now vested entirely and absolutely in the United States of America, without any incumbrances or indemnities whatever.

1.—The Republic of Colombia shall be at liberty at all times to transport through the interoceanic Canal its troops, materials of war and ships of war, without paying any charges to the United States.

2.—The products of the soil and industry of Colombia passing through the Canal, as well as the Colombian mails, shall be exempt from any charge or duty other than those to which the products and mails of the United States may be subject. The products of the soil and industry of Colombia, such as cattle, salt and provisions, shall be admitted to entry in the Canal Zone, and likewise in the islands and mainland occupied or which may be occupied by the United States as auxiliary and accessory thereto, without paying other duties or charges than those payable by similar products of the United States.

3.—Colombian citizens crossing the Canal Zone shall, upon production of proper proof of their nationality, be exempt from every toll, tax or duty to which citizens of the United States are not subject.

4.—Whenever traffic by the Canal is interrupted or whenever it shall be necessary for any other reason to use the railway, the troops, materials of war, products and mails of the Republic of Colombia, as above mentioned, shall, be transported on the Railway between Ancon and Cristobal or on any other Railway substituted therefor, paying only the same charges and duties as are imposed upon the troops, materials of war, products and mails of the United States. The officers, agents and employees of the Government of Colombia shall, upon production of proper proof of their official character or their employment, also be entitled to passage on the said Railway on the same terms as officers, agents and employees of the Government of the United States.

5.—Coal, petroleum and sea salt, being the products of Colombia, for Colombian consumption passing from the Atlantic coast of Colombia to any Colombian port on the Pacific coast, and vice-versa, shall, whenever traffic by the canal is interrupted, be transported over the aforesaid Railway free of any charge except the actual cost of handling and transportation, which shall not in any case exceed one half of the ordinary freight charges levied upon similar products of the United States passing over the Railway and in transit from one port to another of the United States.

ARTICLE II

The Government of the United States of America agrees to pay at the City of Washington to the Republic of Colombia the sum of twenty-five million dollars, gold, United States money, as follows: The sum of five million dollars shall be paid within six months after the exchange of ratifications of the present treaty, and reckoning from the date of that payment, the remaining twenty million dollars shall be paid in four annual installments of five million dollars each.

ARTICLE III

The Republic of Colombia recognizes Panama as an independent nation and taking as a basis the Colombian Law of June 9, 1855, agrees that the boundary shall be the following: From Cape Tiburón to the headwaters of the Río de la Miel and following the mountain chain by the ridge of Gandi to the Sierra de Chugargun and that of Mali going down by the ridges of Nigue to the heights of Aspave and from thence to a point on the Pacific half way between Cocalito and La Ardita.

In consideration of this recognition, the Government of the United States will, immediately after the exchange of the ratifications of the present Treaty, take the necessary steps in order to obtain from the Government of Panama the despatch of a duly accredited agent to negotiate and conclude with the Government of Colombia a Treaty of Peace and Friendship, with a view to bring about both the establishment of regular diplomatic relations between Colombia and Panama and the adjustment of all questions of pecuniary liability as between the two countries, in accordance with recognized principles of law and precedents.

ARTICLE IV

The present Treaty shall be approved and ratified by the High Contracting Parties in conformity with their respective laws, and the ratifications thereof shall be exchanged in the city of Bogotá, as soon as may be possible.

In faith whereof, the said Plenipotentiaries have signed the present Treaty in duplicate and have hereunto affixed their respective seals.

Done at the city of Bogotá, the sixth day of April in the year of our Lord nineteen hundred and fourteen.

[SEAL.]	THADDEUS AUSTIN THOMSON
[SEAL.]	FRANCISCO JOSÉ URRUTIA
[SEAL.]	MARCO FIDEL SUÁREZ
[SEAL.]	NICOLAS ESGUERRA
[SEAL.]	JOSÉ M. GONZÁLEZ VALENCIA
[SEAL.]	RAFAEL URIBE URIBE
[SEAL.]	ANTONIO JOSÉ URIBE

FRANCO-BRITISH CONVENTION ON CERTAIN POINTS CONNECTED WITH THE
MANDATES FOR SYRIA AND THE LEBANON, PALESTINE AND MESOPOTAMIA ¹*Signed at Paris, December 23, 1920*

The British and French Governments, respectively represented by the undersigned Plenipotentiaries, wishing to settle completely the problems raised by the attribution to Great Britain of the mandates for Palestine and Mesopotamia and by the attribution to France of the mandate over Syria and the Lebanon, all three conferred by the Supreme Council at San Remo, have agreed on the following provisions:—

ARTICLE 1

The boundaries between the territories under the French mandate of Syria and the Lebanon on the one hand and the British mandates of Mesopotamia and Palestine on the other are determined as follows:—

On the east, the Tigris from Jeziret-ibn-Omar to the boundaries of the former vilayets of Diarbekir and Mosul.

On the south-east and south, the aforesaid boundary of the former vilayets southwards as far as Roumelan Koeui; thence a line leaving in the territory under the French mandate the entire basin of the western Kabur and passing in a straight line towards the Euphrates, which it crosses at Abu Kemal, thence a straight line to Imtar to the south of Jebul Druse, then a line to the south of Nasib on the Hedjaz Railway, then a line to Semakh on the Lake of Tiberias, traced to the south of the railway, which descends towards the lake and parallel to the railway. Deraa and its environs will remain in the territory under the French mandate; the frontier will in principle leave the valley of the Yarmuk in the territory under the French mandate, but will be drawn as close as possible to the railway in such a manner as to allow the construction in the valley of the Yarmuk of a railway entirely situated in the territory under the British mandate. At Semakh the frontier will be fixed in such a manner as to allow each of the two High Contracting Parties to construct and establish a harbour and railway station giving free access to the Lake of Tiberias.

On the west, the frontier will pass from Semakh across the Lake of Tiberias to the mouth of the Wadi Massadyie. It will then follow the course of this river upstream, and then the Wadi Jeraba to its source. From that point it will reach the track from El Kuneitra to Banias at the point marked Skek, thence it will follow the said track, which will remain in the territory under the French mandate as far as Banias. Thence the frontier will be drawn westwards as far as Metullah, which will remain in Palestinian territory. This portion of the frontier will be traced in detail in such a manner as to ensure for the territory under the French mandate easy communication entirely

¹ British Parliamentary Command Papers, Misc. No. 4 (1921).

within such territory with the regions of Tyre and Sidon, as well as continuity of road communication to the west and to the east of Banias.

From Metullah the frontier will reach the watershed of the valley of the Jordan and the basin of the Litani. Thence it will follow this watershed southwards. Thereafter it will follow in principle the watershed between the Wadis Farah-Houroun and Kerkerah, which will remain in the territory under the British mandate, and the Wadis El Doubleh, El Aioun and Es Zerka, which will remain in the territory under the French mandate. The frontier will reach the Mediterranean Sea at the port of Ras-el-Nakura, which will remain in the territory under the French mandate.

ARTICLE 2

A commission shall be established within three months from the signature of the present convention to trace on the spot the boundary line laid down in article 1 between the French and British mandatory territories. This commission shall be composed of four members. Two of these members shall be nominated by the British and French Governments respectively, the two others shall be nominated, with the consent of the mandatory Power, by the local Governments concerned in the French and British mandatory territories respectively.

In case any dispute should arise in connection with the work of the commission, the question shall be referred to the Council of the League of Nations whose decision shall be final.

The final reports by the commission shall give the definite description of the boundary as it has been actually demarcated on the ground; the necessary maps shall be annexed thereto and signed by the commission. The reports, with their annexes, shall be made in triplicate; one copy shall be deposited in the archives of the League of Nations, one copy shall be kept by the mandatory, and one by the other Government concerned.

ARTICLE 3

The British and French Governments shall come to an agreement regarding the nomination of a commission, whose duty it will be to make a preliminary examination of any plan of irrigation formed by the Government of the French mandatory territory, the execution of which would be of a nature to diminish in any considerable degree the waters of the Tigris and Euphrates at the point where they enter the area of the British mandate in Mesopotamia.

ARTICLE 4

In virtue of the geographic and strategic position of the island of Cyprus, off the Gulf of Alexandretta, the British Government agrees not to open any negotiations for the cession or alienation of the said island of Cyprus without the previous consent of the French Government.

ARTICLE 5

1. The French Government agrees to facilitate by a liberal arrangement the joint use of the section of the existing railway between the Lake of Tiberias and Nasib. This arrangement shall be concluded between the railway administrations of the areas under the French and British mandates respectively as soon as possible after the coming into force of the mandates for Palestine and Syria. In particular the agreement shall allow the administration in the British zone to run their own trains with their own traction and train crews over the above section of the railway in both directions for all purposes other than the local traffic of the territory under the French mandate. The agreement shall determine at the same time the financial, administrative and technical conditions governing the running of the British trains. In the event of the two administrations being unable to reach an agreement within three months from the coming into force of the two above-mentioned mandates, an arbitrator shall be appointed by the Council of the League of Nations to settle the points as to which a difference of opinion exists and immediate effect shall be given as far as possible to those parts of the agreement on which an understanding has already been reached.

The said agreement shall be concluded for an indefinite period and shall be subject to periodical revision as need arises.

2. The British Government may carry a pipe line along the existing railway track and shall have in perpetuity and at any moment the right to transport troops by the railway.

3. The French Government consents to the nomination of a special commission, which, after having examined the ground, may readjust the above-mentioned frontier line in the valley of the Yarmuk as far as Nasib in such a manner as to render possible the construction of the British railway and pipe line connecting Palestine with the Hedjaz Railway and the valley of the Euphrates, and running entirely within the limits of the areas under the British mandate. It is agreed, however, that the existing railway in the Yarmuk valley is to remain entirely in the territory under the French mandate. The right provided by the present paragraph for the benefit of the British Government must be utilised within a maximum period of ten years.

The above-mentioned commission shall be composed of a representative of the French Government and a representative of the British Government, to whom may be added representatives of the local Governments and experts as technical advisers to the extent considered necessary by the British and French Governments.

4. In the event of the track of the British railway being compelled for technical reasons to enter in certain places the territory under French mandate, the French Government will recognise the full and complete extra-territoriality of the sections thus lying in the territory under the French mandate, and will give the British Government or its technical agents full and easy access for all railway purposes.

5. In the event of the British Government making use of the right mentioned in paragraph 3 to construct a railway in the valley of the Yarmuk, the obligations assumed by the French Government in accordance with paragraphs 1 and 2 of the present article will determine three months after the completion of the construction of the said railway.

6. The French Government agrees to arrange that the rights provided for above for the benefit of the British Government shall be recognised by the local Governments in the territory under the French mandate.

ARTICLE 6

It is expressly stipulated that the facilities accorded to the British Government by the preceding articles imply the maintenance for the benefit of France of the provisions of the Franco-British Agreement of San Remo regarding oil.

ARTICLE 7

The French and British Governments will put no obstacle in their respective mandatory areas in the way of the recruitment of railway staff for any section of the Hedjaz Railway.

Every facility will be given for the passage of employees of the Hedjaz Railway over the British and French mandatory areas in order that the working of the said railway may be in no way prejudiced.

The French and British Governments agree, where necessary, and in eventual agreement with the local Governments, to conclude an arrangement whereby the stores and railway material passing from one mandatory area to another and intended for the use of the Hedjaz Railway will not for this reason be submitted to any additional customs dues and will be exempted so far as possible from customs formalities.

ARTICLE 8

Experts nominated respectively by the Administrations of Syria and Palestine shall examine in common within six months after the signature of the present convention the employment, for the purposes of irrigation and the production of hydro-electric power, of the waters of the Upper Jordan and the Yarmuk and of their tributaries, after satisfaction of the needs of the territories under the French mandate.

In connection with this examination the French Government will give its representatives the most liberal instructions for the employment of the surplus of these waters for the benefit of Palestine.

In the event of no agreement being reached as a result of this examination, these questions shall be referred to the French and British Governments for decision.

To the extent to which the contemplated works are to benefit Palestine, the Administration of Palestine shall defray the expenses of the construction of

all canals, weirs, dams, tunnels, pipe lines and reservoirs or other works of a similar nature, or measures taken with the object of reafforestation and the management of forests.

ARTICLE 9

Subject to the provisions of Articles 15 and 16 of the mandate for Palestine, of Articles 8 and 10 of the mandate for Mesopotamia, and of Article 8 of the mandate for Syria and the Lebanon, and subject also to the general right of control in relation to education and public instruction, of the local Administrations concerned, the British and French Governments agree to allow the schools which French and British nationals possess and direct at the present moment in their respective mandatory areas to continue their work freely; the teaching of French and English will be freely permitted in these schools.

The present article does not in any way imply the right of nationals of either of the two parties to open new schools in the mandatory area of the other.

The present convention has been drawn up in English and French, each of the two texts having equal force.

Done at Paris, the 23rd December, 1920, in a double copy, one of which will remain deposited in the archives of the Government of the French Republic, and the other in those of the Government of His Britannic Majesty.

HARDINGE OF PENSHURST.

G. LEYGUES.

TREATY BETWEEN THE ALLIED POWERS AND GREECE RELATIVE TO THRACE¹

Signed at Sèvres, August 10, 1920

The British Empire, France, Italy and Japan, the Principal Allied and Associated Powers, of the one part, and Greece, of the other part, being agreed to recognize the sovereignty of Greece over the territories in Thrace over which Bulgaria, by Article 48 of the Treaty of Peace signed at Neuilly-sur-Seine on November 27, 1919, renounced all rights and title in favour of the Principal Allied and Associated Powers, and being desirous of ensuring the economic outlets of Bulgaria to the Ægean Sea, for this purpose the High Contracting Parties have appointed as their Plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Edward George Villiers, Earl of Derby, K.G., P.C., K.C.V.O., C.B., Ambassador Extraordinary and Plenipotentiary of His Britannic Majesty at Paris;

¹ British Treaty Series, 1921, No. 13.

And—

For the Dominion of Canada:

The Honourable Sir George Halsey Perley, K.C.M.G., High Commissioner for Canada in the United Kingdom;

For the Commonwealth of Australia:

The Right Honourable Andrew Fisher, High Commissioner for Australia in the United Kingdom;

For the Dominion of New Zealand:

The Honourable Sir James Allen, K.C.B., High Commissioner for New Zealand in the United Kingdom;

For the Union of South Africa:

Mr. Reginald Andrew Blankenberg, O.B.E., Acting High Commissioner for the Union of South Africa in the United Kingdom;

For India:

Sir Arthur Hirtzel, K.C.B., Assistant Under-Secretary of State for India;

The President of the French Republic:

M. Alexandre Millerand, President of the Council, Minister for Foreign Affairs;

M. Frédéric François-Marsal, Minister of Finance;

M. Auguste Paul Louis Isaac, Minister of Commerce and Industry;

M. Jules Cambon, Ambassador of France;

M. Georges Maurice Paléologue, Ambassador of France, Secretary-General of the Ministry of Foreign Affairs;

His Majesty the King of Italy:

Count Lelio Bonin Longare, Senator of the Kingdom, Ambassador Extraordinary and Plenipotentiary of His Majesty the King of Italy at Paris;

M. Carlo Galli, Consul;

His Majesty the Emperor of Japan:

Viscount Chinda, Ambassador Extraordinary and Plenipotentiary of His Majesty the Emperor of Japan at London;

Mr. K. Matsui, Ambassador Extraordinary and Plenipotentiary of His Majesty the Emperor of Japan at Paris;

His Majesty the King of the Hellenes;

M. Eleftherios K. Venisélós, President of the Council of Ministers;

M. Athos Romanos, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of the Hellenes at Paris;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

ARTICLE 1

The Principal Allied and Associated Powers hereby transfer to Greece who accepts the said transfer, all rights and title which they hold, under Article 48 of the Treaty of Peace with Bulgaria signed at Neuilly-sur-Seine on No-

vember 27, 1919, over the territories in Thrace which belonged to the Bulgarian Monarchy and are dealt with in the said Article.

ARTICLE 2

The whole of the frontier line described in Article 27 (3) of the Treaty of Peace with Bulgaria will be traced on the spot by the Commission provided for in Article 43 of the said Treaty.

ARTICLE 3

The provisions of Articles 44 and 45 of the Treaty of Peace with Bulgaria, relating to the nationality of the inhabitants, will apply to the territories referred to in Article 1 of the present Treaty.

The provisions of Article 46, relating to the protection of minorities, freedom of transit and equitable treatment of commerce, which form the subject of the Treaty of even date, and those of Article 47, relating in particular to the proportion and nature of the financial obligations of Bulgaria which Greece will have to assume on account of the territory placed under her sovereignty, will similarly apply to the territories referred to in Article 1 of the present Treaty.

The provisions of the Convention concluded on November 27, 1919, between Greece and Bulgaria, relating to reciprocal emigration, will apply *ipso facto* to the territories referred to in Article 1 of the present Treaty.

ARTICLE 4

In order to ensure to Bulgaria free access to the Ægean Sea, freedom of transit is accorded to her over the territories and in the ports assigned to Greece under the present Treaty.

Freedom of transit is the freedom defined in Article 212 of the Treaty of Peace with Bulgaria, until such time as a General Convention on the subject shall have been concluded, whereupon the dispositions of the new Convention shall be substituted therefor.

Special conventions between Greece and Bulgaria, or the administrations concerned, will lay down the conditions of the exercise of the right accorded above, and will settle in particular the method of using the ports, subject to Article 5, the establishment of international (joint) services and tariffs, including through tickets and waybills, and the application of the Convention of Berne of October 14, 1890, and its supplementary provisions, until its replacement by a new Convention.

Freedom of transit will extend to postal, telegraphic and telephonic services.

ARTICLE 5

In the port of Dedeagatch Bulgaria will be accorded a lease in perpetuity, subject to determination by the League of Nations, of a zone which shall be

placed under the régime laid down in Articles 11 to 14, and shall be used for the direct transit of goods coming from or going to that State.

The delimitation of the zone referred to in the preceding paragraph, its connection with existing railways, its equipment and exploitation, and in general all the conditions of its utilisation, including the amount of the rental, shall be decided by a Commission consisting of one delegate of Bulgaria, one delegate of Greece, and one delegate appointed by the League of Nations. These conditions shall be susceptible of revision every ten years in the same manner.

ARTICLE 6

Dedeagatch is declared a port of international concern.

The nationals, goods and flags of all States members of the League of Nations shall enjoy at Dedeagatch complete freedom in the use of the port. In this connection and in all respects they shall be treated on a footing of perfect equality, particularly as regards all port and quay facilities and charges, including facilities for berthing, loading and discharging, tonnage dues and charges, quay, pilotage, lighthouse, quarantine and all similar dues and charges of whatsoever nature, levied in the name of the Government, public functionaries, private individuals, corporations or establishments of every kind, no distinction being made between the nationals, goods and flags of the different States and those of Greece.

There shall be no restrictions on the movement of persons or vessels other than those arising from regulations concerning customs, police, public health, emigration and immigration and those relating to the import and export of prohibited goods. Such regulations must be reasonable and uniform and must not impede traffic unnecessarily.

ARTICLE 7

All dues and charges for the use of the port of Dedeagatch or of its approaches, or for the use of facilities provided in the port, shall be levied under the conditions of equality prescribed in Article 6, and shall be reasonable both as regards their amount and their application, having regard to the expenses incurred in the administration, upkeep and improvement of the port and of the approaches thereto, or in the interests of navigation.

All dues and charges other than those provided in this Article or in Articles 8, 12 or 13 are forbidden.

ARTICLE 8

All customs, local octroi or consumption dues levied on goods imported or exported through the port of Dedeagatch shall be the same whether the flag of the vessel which effected or is to effect the transport be the Greek or any other flag. In the absence of special circumstances justifying an exception on account of economic needs, such dues must be fixed on the same basis and at the same tariffs as similar duties levied on the other customs frontiers of

Greece. All facilities which may be accorded by Greece over other land or water routes or at other ports for the import or export of goods shall be equally granted to imports and exports through the port of Dedeagatch.

ARTICLE 9

In the absence of any special arrangement relative to the execution of works for maintaining and improving the port of Dedeagatch, it shall be the duty of Greece to take suitable measures to remove any obstacle or danger to navigation and to secure facilities for the movements of ships in the port.

ARTICLE 10

Greece must not undertake any works liable to prejudice the facilities for the use of the port of Dedeagatch or of its approaches.

ARTICLE 11

The facilities granted in the zone referred to in Article 5 for the erection or use of warehouses and for packing and unpacking goods shall be in accordance with trade requirements for the time being. All goods allowed to be consumed in the zone shall be exempt from customs, excise and all other duties of any description whatsoever, apart from the statistical duty provided for in Article 12. Unless otherwise provided in the present Treaty, it shall be within the discretion of Greece to permit or to prohibit manufacture within the said zone. There shall be no discrimination in regard to any of the provisions of this Article either between persons belonging to different nationalities or between goods of different origin or destination.

ARTICLE 12

No duties or charges, other than those provided for in Article 6, shall be levied on goods arriving in the zone referred to in Article 5 or departing therefrom, from whatever foreign country they come or for whatever foreign country they are destined, other than a statistical duty which shall not exceed 1 per mille *ad valorem*. The proceeds of this statistical duty shall be devoted exclusively to the maintenance of the service dealing with the statistics relating to the traffic of the said zone.

ARTICLE 13

Subject to the provisions of Article 14, the duties referred to in Article 8 may be levied under the conditions laid down in that Article on goods coming from or going to the zone referred to in Article 5 on their importation into Greek territory or on their exportation from such territory respectively.

ARTICLE 14

Persons, goods, postal services, ships, vessels, carriages, waggons and other means of transport coming from or going to the zone referred to in Article 5

and crossing Greek territory shall be deemed to be in transit across Greece if they are going to or coming from the territory of any other State whatsoever.

ARTICLE 15

Subject to the provisions of Article 16, differences which may arise with regard to the interpretation or to the application of the dispositions contained in Articles 4 to 14 of the present Treaty shall be settled in accordance with the conditions laid down by the League of Nations.

Differences with regard to the execution of works liable to prejudice the facilities for the use of the port of Dedeagatch or of its approaches shall be dealt with by an accelerated procedure, and may be the object of an expression of opinion, or of a provisional decision which may prescribe the suspension or the immediate suppression of the said works, without prejudice to the ultimate opinion or decision in the case.

ARTICLE 16

If a request is made by Bulgaria to the Council of the League of Nations, an International Commission shall be formed consisting of five members nominated by France, Great Britain, Italy, Greece and Bulgaria respectively. This Commission will be charged with assuring, so far as Dedeagatch and access thereto is concerned, the execution of the régime prescribed in Articles 4 to 14 of the present Treaty. Any differences relating to this régime shall be dealt with in the first place by the above Commission, which will take its decisions by a simple majority. In the event of any State concerned desiring to appeal against such decision, such appeal shall be brought before the competent authority of the League of Nations, pending whose decision the decision of the Commission shall be carried out.

The present Treaty, in French, in English and in Italian, shall be ratified. In case of divergence the French text shall prevail.

The deposit of ratifications shall be made at Paris as soon as possible.

Powers of which the seat of the Government is outside Europe will be entitled merely to inform the Government of the French Republic through their diplomatic representative at Paris that their ratification has been given; in that case they must transmit the instrument of ratification as soon as possible.

A *procès-verbal* of the deposit of ratifications will be drawn up.

The present Treaty will come into force when the Treaty of Peace with Bulgaria has come into force, and as soon as it has been ratified by those of the Principal Allied and Associated Powers who have then ratified the said Treaty of Peace, and by Greece.

The French Government will transmit to all the signatory Powers a certified copy of the *procès-verbaux* of the deposit of ratifications.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at Sèvres, the tenth day of August, one thousand nine hundred and twenty, in a single copy, which will remain deposited in the archives of the French Republic, and of which authenticated copies will be transmitted to each of the signatory Powers.

[L. S.] DERBY	[L. S.] JULES CAMBON
[L. S.] GEORGE H. PERLEY	[L. S.] PALÉOLOGUE
[L. S.] ANDREW FISHER	[L. S.] BONIN
[L. S.] JAMES ALLEN	[L. S.] CARLO GALLI
[L. S.] R. A. BLANKENBERG	
[L. S.] ARTHUR HIRTZEL	[L. S.] K. MATSUI
[L. S.] A. MILLERAND	[L. S.] E. K. VENISÉLOS
[L. S.] F. FRANÇOIS-MARSAL	[L. S.] A. ROMANOS

AGREEMENT RESPECTING THE PRESERVATION OR THE RESTORATION OF THE RIGHTS OF INDUSTRIAL PROPERTY AFFECTED BY THE WORLD WAR¹.

Signed at Berne, June 30, 1920

THE undersigned Plenipotentiaries of the countries members of the International Union for the Protection of Industrial Property, duly authorised by their respective Governments, have unanimously, and subject to ratification, adopted the following Agreement intended to guarantee and to facilitate the ordinary exercise of the rights of industrial property affected by the world war:—

ARTICLE 1

The periods of priority provided for by Article 4 of the International Convention of Paris of the 20th March, 1883, revised at Washington in 1911, for the deposit of applications for patents or the registration of utility models, trade-marks, designs and models which had not yet expired on the 1st August, 1914, and those which would have been created during the war or which it would have been possible to create had the war not occurred, shall be extended by each of the High Contracting Parties in favour of the lawful holders of the rights recognised by the above-mentioned Convention, or their representatives, until the expiration of a period of six months from the coming into force of the present Agreement.

Nevertheless, this extension of period shall not prejudice the rights of any High Contracting Power or of any individual who, at the time of the coming into force of the present Agreement, may be possessed *bonâ fide* of rights of industrial property conflicting with those applied for when claiming the period of priority. They shall retain possession of their rights either personally or through all agents or holders of licence which may have been granted to them before the coming into force of the present Agreement without any liability to be disturbed or prosecuted as counterfeiters.

¹ British Treaty Series, 1920, No. 18.

ARTICLE 2

A period of one year from the coming into force of the present Agreement, without additional charge or penalty of any description, shall be allowed to the lawful holders of the rights recognised by the Convention in order to complete every act, to fulfil every formality, to pay every charge and generally to comply with every obligation prescribed by the laws and regulations of each State in order to preserve or to obtain the rights of industrial property already acquired on the 1st August, 1914, or which, had the war not occurred, it would have been able to acquire since that date, consequent on an application made before the war or in the course of its duration.

The industrial property rights which may have lapsed owing to the failure of accomplishment of an act, of execution of a formality or of payment of a charge shall be restored in efficiency under reserve of the rights possessed by third parties *bonâ fide* in patents or utility models or in industrial designs or models.

ARTICLE 3

The time included between the 1st August, 1914, and the date of the coming into force of the present Agreement shall not be reckoned in the period provided for the working of a patent or for the usage of trade-marks or for the working of industrial designs and models; moreover, it is agreed that any patent, trade-mark or industrial design or model which was actually in existence on the 1st August, 1914, shall not be liable to forfeiture or cancellation solely for failure to work or non-usage before the expiration of a period of two years from the coming into force of the present Agreement.

ARTICLE 4

The provisions of the present Agreement only imply a minimum of protection; they do not prevent a claim to the application of more extensive measures which may be decreed by the domestic legislation of a contracting country; they also allow the existence of agreements more favourable and not inconsistent which the Governments of the signatory countries may have concluded or shall conclude between themselves in the shape of special treaties or reciprocity clauses.

ARTICLE 5

The provisions of the present Agreement in no way affect the stipulations agreed to between the belligerent countries in the Treaties of Peace signed at Versailles on the 28th June, 1919, and at Saint-Germain on the 10th September, 1919, in so far as those stipulations may contain reserves, exceptions or restrictions.

The present Agreement shall be ratified and the ratifications shall be deposited at Berne within a period of three months at most. It shall come into force as between the High Contracting Parties who shall have ratified it on

the date when the *procès-verbal* of the deposit of ratifications shall be drawn up, and for any other Power on the date of the deposit of its ratification.

The countries which shall not have signed the present Agreement can adhere on making application. Such accession shall be notified in writing to the Government of the Swiss Confederation, and by the latter to all the others. It will entail, as a matter of right and without delay, adhesion to all the clauses and admission to all the advantages stipulated in the present Agreement.

It shall have the same force as the General Convention, and it will cease to be effective by simple resolution of a Conference (Article 14 of the Convention) when it shall have fulfilled its temporary object.

The present Agreement shall be signed in a single copy, which shall be deposited in the archives of the Government of the Swiss Confederation. A certified copy shall be forwarded by the latter to each of the Governments of the signatory countries.

Done at Berne, the 30th June, 1920.

For Germany:

KÖCHER

For France:

H. ALLIZÉ

For the Netherlands:

VAN PANHUYNS

For Poland:

J. PERLOWSKI

For Portugal:

A. M. BARTHOLOMEU FERREIRA

For Sweden:

P. DE ADLERCREUTZ

(under the reserve noted in the
procès-verbal.)

For Switzerland:

MOTTA

For Czecho-Slovakia:

DR. CYRILL DUČEK

For Tunis:

H. ALLIZÉ

Procès-verbal of Signature

The undersigned Plenipotentiaries, duly authorised thereto, have assembled to-day with the object of signing the Agreement respecting the preservation or the restoration of the rights of industrial property affected by the world war.

Before signing they have taken cognizance of the following explanatory Déclaration read by the Plenipotentiary of Switzerland: —

"At the request of several Governments addressed to the Swiss Federal Council, it is formally put on record that, as the latter has explained in its note of the 29th May, 1920, the date of the first exchange of ratifications will be considered for all the countries adhering to the present Agreement or which will adhere in the future as the starting point of the various periods provided for therein."

The Plenipotentiary of Sweden afterwards read the following Declaration:—

"Sweden adheres to the present Agreement only as regards patents and utility models, to the exclusion of trade-marks and industrial designs and models, and that under the following restrictions:

"1. According to existing legislation in Sweden, which cannot be altered without the consent of Parliament, the period of priority referred to in the first article of the present Agreement expires on the 30th June, 1920.

"2. In accordance with a Swedish law which is about to be adopted, the request that, as regards an application for a patent which shall have been forfeited or rejected, it may be re-examined, should be deposited before the 1st January, 1921, or, when the declaration of forfeiture or of rejection intervenes after the 30th June, 1920, within six months after the decision.

"According to the same law, the request with a view to the restoration of a patent should be deposited before the 1st January, 1921.

"Nevertheless, it is provided that, by a general measure, these periods can be prolonged for six months."

In witness whereof, the undersigned Plenipotentiaries have adopted the present *procès-verbal*.

Done at Berne, the 30th June, 1920.

For Germany:

KÖCHER

For France:

H. ALLIZÉ

For the Netherlands:

VAN PANHUYS

For Poland:

J. PERLOWSKI

For Portugal:

A. M. BARTHOLOMEU FERREIRA

For Sweden:

P. DE ADLERCREUTZ

For Switzerland:

MOTTA

For Czecho-Slovakia:

DR. CYRILL DUČEK

For Tunis:

H. ALLIZÉ

Procès-Verbal of the Deposit of Ratifications of the Agreement, signed at Berne on June 30, 1920, respecting the Preservation or the Restoration of the Rights of Industrial Property affected by the World War

In execution of the Agreement respecting the preservation or the restoration of the rights of industrial property affected by the world war, signed at Berne on the 30th June, 1920, and following on the invitation addressed to this effect by the note of the 11th September, 1920, from the Swiss Federal Council to the Governments of the High Signatories, the undersigned duly authorised thereto, have assembled to-day at the Federal Palace at Berne in order to proceed to the examination and to the deposit of the acts of ratification of the aforesaid Agreement by their respective Governments.

The instruments of these acts have been produced, and being recognised as in good and due form have been handed to the representative of the Swiss Government in order to be deposited in the archives of the Confederation.

The act of ratification of His Majesty the King of Sweden mentions the two reserves, the text of which appears in the *procès-verbal* of signature of the 30th June, 1920.

Moreover, it is established that, according to the explanatory declaration read by the plenipotentiary of Switzerland at the signature of the Agreement, and inserted in the *procès-verbal* of the 30th June, 1920, the date of the first exchange of ratifications, that is, the 30th September, 1920, shall be considered for all the countries which take part in the Agreement or which will adhere to it in the future as the starting point of the periods provided for in Articles 1 to 3.

Finally, the undersigned confirm that, according to the documents presented to them by the representative of the Swiss Government, the accessions of the following countries have been notified to the Swiss Federal Council in the interval between the signature of the Agreement and to-day:—

Morocco (territory of the French Protectorate), the 10th July, by note from the French Embassy at Berne.

Great Britain, the 31st August, by note from the British Legation at Berne.

The Government of His Britannic Majesty, however, qualifies its accession by the following reserve:—

"The extended periods provided for by articles 1 and 2 of the Agreement will terminate, as regards the United Kingdom, on the 10th January, 1921."

The said Government reserves to itself the power of adhering subsequently to the Agreement on behalf of the British Possessions overseas which have signed the revised Union Convention of 1900 (Paris-Brussels) or that of 1911 (Paris-Brussels-Washington).

Consequently, the above-mentioned Agreement comes into force to-day between the following States: Germany, France, Great Britain (under the reserve cited above), Morocco (territory of the French Protectorate), Poland, Sweden (under the two reserves above mentioned), Switzerland and Tunis.

The Governments of the following States are not yet in a position to deposit their ratifications: the Netherlands, Portugal, Czecho-Slovakia.

In witness whereof the present *procès-verbal* has been drawn up, which will be deposited in the archives of the Swiss Confederation and of which a certified copy will be forwarded by the Government of that country to the Governments of the other countries members of the International Union for the Protection of Industrial Property.

Done at Berne, the 30th September, 1920.

For Germany:

KÖCHER

For France:

H. ALLIZÉ

For Poland:

J. DE MODZELEWSKI

For Sweden:

P. DE ADLERCREUTZ

For Switzerland:

MOTTA

For Tunis:

H. ALLIZÉ

AGREEMENT BETWEEN THE UNITED KINGDOM AND PERU RESPECTING THE
MINERAL PROPERTY "LA BREA Y PARIÑAS"¹

Signed at Lima, August 27, 1921

WHEREAS differences have arisen between the Government of His Britannic Majesty and the Government of the Republic of Peru concerning certain Supreme Resolutions or Decrees of the latter Government in relation to the mineral property of "La Brea y Pariñas," situated in the Province of Paita, Republic of Peru, and owned by the heirs of the late William Keswick, a British subject, and leased to the London and Pacific Petroleum Company (Limited), a company incorporated under the laws of Great Britain; and

Whereas the Government of His Britannic Majesty has requested the Government of the Republic of Peru to submit said differences to international arbitration, and the Congress of Peru, by law No. 3016 promulgated by the President of Peru on the 10th January, 1919, has authorised the Executive Power to conclude an agreement with the Government of His Britannic Majesty to submit to the definite decision of an International Tribunal the controversy pending between the two Governments in the matter above mentioned;

Now therefore His Britannic Majesty, through his representative, Mr. A. C. Grant Duff, Envoy Extraordinary and Minister Plenipotentiary; and

¹ British Treaty Series, 1922, No. 1.

the Republic of Peru, through its representative, Dr. Alberto Salomón, Minister of Foreign Relations; the said representatives having reciprocally exhibited to each other their full powers, have concluded the following agreement:—

ARTICLE 1

It is agreed that the following controversy shall be submitted for definite decision to a Tribunal of Arbitration to be constituted as hereinafter provided.

The Government of the Republic of Peru contends that the Supreme Resolutions or Decrees of the 31st March, 1911, 15th March and 22nd May, 1915, relating to the mineral property of "La Brea y Pariñas," are valid and legal and should be enforced, and that the said mineral property is subject to the general body of mining laws which may be in force in Peru now or in the future.

The Government of His Britannic Majesty, on the other hand, contends that the said mineral property has a legal status distinct from that of mineral property acquired and held in the usual manner under the Mining Ordinances or the Mining Code of Peru; that the said mineral property is not subject to the general body of mining laws or to legislation inconsistent with such distinct status, and that the Supreme Resolutions or Decrees above mentioned are invalid and cannot legally be enforced.

The Tribunal of Arbitration shall include in its Award a decision on all and on each of the questions respectively raised by the Contracting Parties in the foregoing controversy, which, as above indicated, relates to measures adopted on or before the 22nd May, 1915. The Award shall be treated as decisive only as regards questions between the Republic of Peru and the proprietors of the mineral property "La Brea y Pariñas," and not as regards questions between said proprietors and other private individuals.

ARTICLE 2

The Tribunal of Arbitration shall be constituted as follows:—

Within one month after the signing of this Agreement each Government shall appoint an Arbitrator and communicate his name to the other Government.

The third Arbitrator shall be the President of the Federal Court of the Republic of Switzerland. The third Arbitrator shall be the president of the Tribunal.

In case the third Arbitrator named by this Agreement should omit or decline to act, the vacancy thus created shall be filled by a supplementary agreement between the two High Contracting Parties.

Any two of the Arbitrators shall constitute a quorum of the Tribunal, and shall have power to decide all questions before the Tribunal, including the final Award.

In case the Arbitrator appointed by either Government should die, resign, or become disabled, or should omit or decline to act, the vacancy thus

created shall be filled within one month by the appointment of another Arbitrator.

The Tribunal may appoint a Permanent Secretary and may determine his duties.

The Parties shall, as soon as possible, agree upon some person at Washington, D. C., to whom each party shall deliver four copies of all notices of appointments, cases, counter-cases, arguments, original documents or authenticated copies thereof and other papers delivered or produced by either Party to the other. It shall be the duty of such person to forward to each of the Arbitrators one copy of every paper so delivered to him and to retain for the records of the Tribunal the fourth copy thereof, which shall be open to inspection by the Agents of either Party. Such person shall, whenever so directed by the Tribunal, deliver to the Permanent Secretary of the Tribunal any papers retained by him as aforesaid.

Each Government shall, within one month after the signing of this Agreement, appoint an Agent whose official address shall be at Washington, D. C., to represent it in all matters connected with the arbitration, and shall at the same time communicate his name and official address to the other Government.

Each Government shall have also the right to designate Counsel, who shall be heard by the Tribunal under such regulations as it may prescribe.

ARTICLE 3

The Agent of each Government shall, within nine months from the date of the signing of this Agreement, deliver at Washington, D. C., to the Agent of the other Government, twelve copies of a printed case, accompanied with printed copies of all the documentary and other evidence upon which it relies.

Within three months after the expiration of the period for the delivery of the cases, the Agent of each Government shall in like manner deliver to the Agent of the other Government at Washington, D. C., twelve copies of a printed counter-case, accompanied with printed copies of all additional documentary and other evidence upon which it relies. The third Arbitrator may, however, extend the time for the delivery of the counter-cases.

Either Government may call upon the other to produce original documents referred to in its case or counter-case, and such originals shall be promptly produced at Washington, D. C., unless it shall be shown that they no longer exist, or that they form part of the public archives and cannot properly be withdrawn, and, in the latter case, duly authenticated copies shall be furnished in the same manner as above directed for the originals, but the originals shall be open to the inspection of the authorised representative of either Government.

The Tribunal shall have like power to call for the production of original documents and to make inspection thereof through its authorised representatives.

The right to inspect in any and all cases above mentioned shall extend to the whole of any document of which part only is alleged or referred to by the party bringing it forward, and to any enclosures therein, or annexed thereto, or minutes or endorsements thereon.

ARTICLE 4

The Tribunal shall meet within one month after the expiration of the period prescribed for the delivery of the cases, on a day and at a place to be named by the third Arbitrator.

Each Arbitrator shall then make and sign a solemn declaration that he will carefully examine and impartially decide the questions presented to the Tribunal for decision, and the declarations so made shall be entered in the record of the proceedings of the Tribunal.

Subsequent sessions may be held at such place as the Tribunal may prefer.

ARTICLE 5

Within two months after the delivery of the counter-cases, each Government may, through its Agent, deliver in duplicate to each of the Arbitrators, and to the Agent or the Counsel, if any, of the other party, a printed argument of the questions embraced in the cases and counter-cases.

The Tribunal shall have power to require further arguments, printed or oral.

ARTICLE 6

The Tribunal shall have power to administer oaths to witnesses and to take their testimony, either orally or in writing, employing an interpreter when necessary.

The Tribunal shall also have power to issue commissions to take testimony.

ARTICLE 7

The Tribunal shall decide questions submitted to it upon the evidence and arguments submitted by the contracting Governments, but it may, from time to time, should it find occasion to do so, call upon the Agent of either Government to submit additional documents, evidence and explanations.

ARTICLE 8

Each Government shall provide for the remuneration of the Arbitrator, and of the Agent, Counsel and any other persons appointed by it. All other expenses, including the honorarium of the third Arbitrator, shall be paid by the two Governments in equal proportions.

ARTICLE 9

The Award shall be rendered within the period of two months after the Tribunal shall have declared the arguments to be closed; but the Tribunal may, in its discretion, extend this period.

ARTICLE 10

The High Contracting Parties agree to treat the Award rendered under this Agreement as a full, perfect and final settlement of the controversy to which this Agreement relates.

In case the Tribunal should, before rendering its award, suggest terms of settlement which the two Governments may accept as satisfactory, or in case the two Governments should themselves agree upon terms of settlement, the Tribunal shall, in either case, incorporate such settlement in an Award, which shall be treated as the Award of the Tribunal.

Any dispute arising between the two Governments as to the interpretation or execution of the Award shall be submitted to the Tribunal.

ARTICLE 11

It is understood and agreed, in conformity with a principle of law recognised as being necessarily applicable to the circumstances of the present case, that, pending the Award of the Tribunal or the determination of any dispute arising as to its interpretation or execution, the *status quo*, in respect to the mineral property "La Brea y Pariñas," shall not be disturbed, and particularly that the above-mentioned Decree of the 15th March, 1915, shall not be enforced in whole or in part.

In witness whereof the undersigned have signed their names and fixed their seals, in Lima, on the 27th day of August of the year one thousand nine hundred and twenty-one.

[L. s.] A. C. GRANT DUFF

[L. s.] A. SALOMÓN

TRADE AGREEMENT BETWEEN HIS BRITANNIC MAJESTY'S GOVERNMENT AND
THE GOVERNMENT OF THE RUSSIAN SOCIALIST FEDERAL SOVIET REPUBLIC¹

Signed at London, March 16, 1921

WHEREAS it is desirable in the interests both of Russia and of the United Kingdom that peaceful trade and commerce should be resumed forthwith between these countries, and whereas for this purpose it is necessary pending the conclusion of a formal general Peace Treaty between the Governments of these countries by which their economic and political relations shall be regulated in the future that a preliminary Agreement should be arrived at between the Government of the United Kingdom and the Government of the Russian Socialist Federal Soviet Republic, hereinafter referred to as the Russian Soviet Government.

The aforesaid parties have accordingly entered into the present Agreement for the resumption of trade and commerce between the countries.

¹ British Parliamentary Command Paper No. 1207.

The present Agreement is subject to the fulfilment of the following conditions, namely:—

(a) That each party refrains from hostile action or undertakings against the other and from conducting outside of its own borders any official propaganda direct or indirect against the institutions of the British Empire or the Russian Soviet Republic respectively, and more particularly that the Russian Soviet Government refrains from any attempt by military or diplomatic or any other form of action or propaganda to encourage any of the peoples of Asia in any form of hostile action against British interests or the British Empire, especially in India and in the Independent State of Afghanistan. The British Government gives a similar particular undertaking to the Russian Soviet Government in respect of the countries which formed part of the former Russian Empire and which have now become independent.

(b) That all British subjects in Russia are immediately permitted to return home, and that all Russian citizens in Great Britain or other parts of the British Empire who desire to return to Russia are similarly released.

It is understood that the term "conducting any official propaganda" includes the giving by either party of assistance or encouragement to any propaganda conducted outside its own borders.

The parties undertake to give forthwith all necessary instructions to their agents and to all persons under their authority to conform to the stipulations undertaken above.

I

Both parties agree not to impose or maintain any form of blockade against each other and to remove forthwith all obstacles hitherto placed in the way of the resumption of trade between the United Kingdom and Russia in any commodities which may be legally exported from or imported into their respective territories to or from any other foreign country, and not to exercise any discrimination against such trade, as compared with that carried on with any other foreign country or to place any impediments in the way of banking, credit and financial operations for the purpose of such trade, but subject always to legislation generally applicable in the respective countries. It is understood that nothing in this Article shall prevent either party from regulating the trade in arms and ammunition under general provisions of law which are applicable to the import of arms and ammunition from, or their export to foreign countries.

Nothing in this Article shall be construed as overriding the provisions of any general International Convention which is binding on either party by which the trade in any particular article is or may be regulated (as for example, the Opium Convention).

II

British and Russian ships, their masters, crews and cargoes shall, in ports of Russia and the United Kingdom respectively, receive in all respects the treatment, privileges, facilities, immunities and protections which are usually

accorded by the established practice of commercial nations to foreign merchant ships, their masters, crews and cargoes, visiting their ports including the facilities usually accorded in respect of coal and water pilotage, berthing, dry docks, cranes, repairs, warehouses and generally all services, appliances and premises connected with merchant shipping.

Moreover, the British Government undertakes not to take part in, or to support, any measures restricting or hindering, or tending to restrict or hinder, Russian ships from exercising the rights of free navigation of the high seas, straits and navigable waterways, which are enjoyed by ships of other nationalities.

Provided that nothing in this Article shall impair the right of either party to take such precautions as are authorised by their respective laws with regard to the admission of aliens into their territories.

III

The British and other Governments having already undertaken the clearance of the seas adjacent to their own coasts and also certain parts of the Baltic from mines for the benefit of all nations, the Russian Soviet Government on their part undertake to clear the sea passages to their own ports.

The British Government will give the Russian Soviet Government any information in their power as to the position of mines which will assist them in clearing passages to the ports and shores of Russia.

The Russian Government, like other nations, will give all information to the International Mine Clearance Committee about the areas they have swept and also what areas still remain dangerous. They will also give all information in their possession about the minefields laid down by the late Russian Governments since the outbreak of war in 1914 outside Russian territorial waters, in order to assist in their clearance.

Provided that nothing in this section shall be understood to prevent the Russian Government from taking or require them to disclose any measures they may consider necessary for the protection of their ports.

IV

Each party may nominate such number of its nationals as may be agreed from time to time as being reasonably necessary to enable proper effect to be given to this Agreement, having regard to the conditions under which trade is carried on in its territories, and the other party shall permit such persons to enter its territories, and to sojourn and carry on trade there, provided that either party may restrict the admittance of any such persons into any specified areas, and may refuse admittance to or sojourn in its territories to any individual who is *persona non grata* to itself, or who does not comply with this Agreement or with the conditions precedent thereto.

Persons admitted in pursuance of this Article into the territories of either party shall, while sojourning therein for purposes of trade, be exempted from

all compulsory services whatsoever, whether civil, naval, military or other, and from any contributions whether pecuniary or in kind imposed as an equivalent for personal service and shall have right of egress.

They shall be at liberty to communicate freely by post, telegraph and wireless telegraphy, and to use telegraph codes under the conditions and subject to the regulations laid down in the International Telegraph Convention of St. Petersburg, 1875 (Lisbon Revision of 1908).

Each party undertakes to account for and to pay all balances due to the other in respect of terminal and transit telegrams and in respect of transit letter mails in accordance with the provisions of the International Telegraph Convention and Regulations and of the Convention and Regulations of the Universal Postal Union respectively. The above balances when due shall be paid in the currency of either party at the option of the receiving party.

Persons admitted into Russia under this Agreement shall be permitted freely to import commodities (except commodities, such as alcoholic liquors, of which both the importation and the manufacture are or may be prohibited in Russia), destined solely for their household use or consumption to an amount reasonably required for such purposes.

V

Either party may appoint one or more official agents to a number to be mutually agreed upon, to reside and exercise their functions in the territories of the other, who shall personally enjoy all the rights and immunities set forth in the preceding Article and also immunity from arrest and search provided that either party may refuse to admit any individual as an official agent who is *persona non grata* to itself or may require the other party to withdraw him should it find it necessary to do so on grounds of public interest or security. Such agents shall have access to the authorities of the country in which they reside for the purpose of facilitating the carrying out of this Agreement and of protecting the interests of their nationals.

Official agents shall be at liberty to communicate freely with their own Government and with other official representatives of their Government in other countries by post, by telegraph and wireless telegraphy in cipher and to receive and despatch couriers with sealed bags subject to a limitation of 3 kilograms per week which shall be exempt from examination.

Telegrams and radiotelegrams of official agents shall enjoy any right of priority over private messages that may be generally accorded to messages of the official representatives of foreign Governments in the United Kingdom and Russia respectively.

Russian official agents in the United Kingdom shall enjoy the same privileges in respect of exemption from taxation, central or local, as are accorded to the official representatives of other foreign Governments. British official agents in Russia shall enjoy equivalent privileges, which, moreover, shall in no case be less than those accorded to the official agents of any other country.

The official agents shall be the competent authorities to visa the passports of persons seeking admission in pursuance of the preceding Article into the territories of the parties.

VI

Each party undertakes generally to ensure that persons admitted into its territories under the two preceding Articles shall enjoy all protection, rights and facilities which are necessary to enable them to carry on trade, but subject always to any legislation generally applicable in the respective countries.

VII

Both contracting parties agree simultaneously with the conclusion of the present Trade Agreement to renew exchange of private postal and telegraphic correspondence between both countries as well as despatch and acceptance of wireless messages and parcels by post in accordance with the rules and regulations which were in existence up to 1914.

VIII

Passports, documents of identity, Powers of Attorney and similar documents issued or certified by the competent authorities in either country for the purpose of enabling trade to be carried on in pursuance of this Agreement shall be treated in the other country as if they were issued or certified by the authorities of a recognised foreign Government.

IX

The British Government declares that it will not initiate any steps with a view to attach or to take possession of any gold, funds, securities or commodities not being articles identifiable as the property of the British Government which may be exported from Russia in payment for imports or as securities for such payment, or of any movable or immovable property which may be acquired by the Russian Soviet Government within the United Kingdom.

It will not take steps to obtain any special legislation not applicable to other countries against the importation into the United Kingdom of precious metals from Russia whether specie (other than British or Allied) or bullion or manufactures or the storing, analysing, refining, melting, mortgaging or disposing thereof in the United Kingdom, and will not requisition such metals.

X

The Russian Soviet Government undertakes to make no claim to dispose in any way of the funds or other property of the late Imperial and Provisional Russian Governments in the United Kingdom. The British Government gives a corresponding undertaking as regards British Government funds and property in Russia. This Article is not to prejudice the inclusion in the gen-

eral Treaty referred to in the Preamble of any provision dealing with the subject matter of this Article.

Both parties agree to protect and not to transfer to any claimants pending the conclusion of the aforesaid Treaty any of the above funds or property which may be subject to their control.

XI

Merchandise the produce or manufacture of one country imported into the other in pursuance of this Agreement shall not be subjected therein to compulsory requisition on the part of the Government or of any local authority.

XII

It is agreed that all questions relating to the rights and claims of nationals of either party in respect of Patents, Trade Marks, Designs and Copyrights in the territory of the other party shall be equitably dealt with in the Treaty referred to in the Preamble.

XIII

The present Agreement shall come into force immediately and both parties shall at once take all necessary measures to give effect to it. It shall continue in force unless and until replaced by the Treaty contemplated in the Preamble so long as the conditions laid down both in the Articles of the Agreement and in the Preamble are observed by both sides. Provided that at any time after the expiration of twelve months from the date on which the Agreement comes into force either party may give notice to terminate the provisions of the preceding Articles, and on the expiration of six months from the date of such notice those Articles shall terminate accordingly.

Provided also that if as the result of any action in the Courts of the United Kingdom dealing with the attachment or arrest of any gold, funds, securities, property or commodities not being identifiable as the exclusive property of a British subject, consigned to the United Kingdom by the Russian Soviet Government or its representatives judgment is delivered by the Court under which such gold, funds, securities, property or commodities are held to be validly attached on account of obligations incurred by the Russian Soviet Government or by any previous Russian Government before the date of the signature of this Agreement, the Russian Soviet Government shall have the right to terminate the Agreement forthwith.

Provided also that in the event of the infringement by either party at any time of any of the provisions of this Agreement or of the conditions referred to in the Preamble, the other party shall immediately be free from the obligations of the Agreement. Nevertheless it is agreed that before taking any action inconsistent with the Agreement the aggrieved party shall give the other party a reasonable opportunity of furnishing an explanation or remedying the default.

It is mutually agreed that in any of the events contemplated in the above provisos, the parties will afford all necessary facilities for the winding up in accordance with the principles of the Agreement of any transactions already entered into thereunder, and for the withdrawal and egress from their territories of the nationals of the other party and for the withdrawal of their movable property.

As from the date when six months' notice of termination shall have been given under this Article, the only new transactions which shall be entered into under the Agreement shall be those which can be completed within the six months. In all other respects the provisions of the Agreement will remain fully in force up to the date of termination.

XIV

This Agreement is drawn up and signed in the English language. But it is agreed that as soon as may be a translation shall be made into the Russian language and agreed between the Parties. Both texts shall then be considered authentic for all purposes.

Signed at London, this sixteenth day of March, nineteen hundred and twenty-one.

R. S. HORNE.
L. KRASSIN.

Declaration of Recognition of Claims

At the moment of signature of the preceding Trade Agreement both parties declare that all claims of either party or of its nationals against the other party in respect of property or rights or in respect of obligations incurred by the existing or former Governments of either country shall be equitably dealt with in the formal general Peace Treaty referred to in the Preamble.

In the meantime and without prejudice to the generality of the above stipulation the Russian Soviet Government declares that it recognises in principle that it is liable to pay compensation to private persons who have supplied goods or services to Russia for which they have not been paid. The detailed mode of discharging this liability shall be regulated by the Treaty referred to in the Preamble.

The British Government hereby makes a corresponding declaration.

It is clearly understood that the above declarations in no way imply that the claims referred to therein will have preferential treatment in the aforesaid Treaty as compared with any other classes of claims which are to be dealt with in that Treaty.

Signed at London, this sixteenth day of March, nineteen hundred and twenty-one.

R. S. HORNE.
L. KRASSIN.

TREATY BETWEEN THE PRINCIPAL ALLIED AND ASSOCIATED POWERS AND
POLAND, ROUMANIA, THE SERB-CROAT-SLOVENE STATE AND THE CZECHO-
SLOVAK STATE RELATIVE TO CERTAIN FRONTIERS OF THOSE STATES¹

Signed at Sèvres, August 10, 1920; British ratification deposited July 26, 1921

The United States of America, the British Empire, France, Italy and Japan, the Principal Allied and Associated Powers, Poland, Roumania, the Serb-Croat-Slovene State and the Czecho-Slovak State,

Desiring to assure the sovereignty of Poland, Roumania, the Serb-Croat-Slovene State and the Czecho-Slovak State over the territories recognised as belonging to them respectively.

The Undersigned, after exchanging their full powers, found in good and due form, have agreed as follows:—

ARTICLE 1

Subject to the special provisions of the Treaties, Supplementary Agreements and Decisions concluded for the purpose of completing the present settlement, the High Contracting Parties recognise the sovereignty of Poland over the territories of the former Austro-Hungarian Monarchy lying to the north of the frontier line hereafter described (see map No. 1):²

From a point on the course of the Oder immediately south of the Ratibor-Oderberg railway, eastwards to the point where the eastern boundary of the commune of Piersna meets the old frontier between Austria and Germany, this old frontier;

thence south-south-eastwards to the point where the boundary between the communes of Bukowetz and Jawarzynka meets the old frontier between Silesia and Hungary,

the frontier described in the Decision made at Paris on the 28th July, 1920;

thence eastwards to a point situated about 1½ kilom. east of hill 1725 (Babia Gora) on the old frontier between Galicia and Hungary,

the old frontier between Silesia and Hungary and then between Galicia and Hungary;

thence south-south-eastwards to a point on the old frontier between Galicia and Hungary situated about 1 kilom. north of hill 1230 (Magura),

the frontier described in the Decision made at Paris on the 28th July, 1920;

thence southwards, eastwards and northwards to a point on the old frontier between Galicia and Hungary situated on the river Bialka about 500 metres from the village of Brzegi,

the old frontier between Galicia and Hungary;

thence in a general east-north-easterly direction to a point on the same frontier situated near hill 487 on the Czorstyn-Szepesofalu road,

¹ British Treaty Series, 1921, No. 20.

² Not reproduced.

the frontier described in the Decision made at Paris on the 28th July, 1920; thence eastwards, then east-south-eastwards to a point about 2 kilom. south of point 1335 (Halicz) where it meets the administrative boundary between the districts of Lisko on the west and of Turka on the east, the old frontier between Galicia and Hungary.

This is the point common to the three frontiers of Poland, Czecho-Slovakia and Eastern Galicia.

The Boundary Commission provided for in Article II of the Decision made at Paris on the 28th July, 1920, will have to trace on the spot the frontier line described above.

ARTICLE 2

Subject to the special provisions of the Treaties, Supplementary Agreements and Decisions concluded for the purpose of completing the present settlement, the High Contracting Parties recognise the sovereignty of the Czecho-Slovak State over the territories defined by the following frontiers (see map No. 1):

1. *With Germany*, the frontier defined by Article 27, 6, and Article 83 of the Treaty of Peace concluded with Germany on the 28th June, 1919;

2. *With Austria*, the frontier defined by Article 27, 6, of the Treaty of Peace concluded with Austria on the 10th September, 1919;

3. *With Hungary*, the frontier defined by Article 27, 4, of the Treaty of Peace concluded with Hungary on the 4th June, 1920;

4. *With Roumania*, the following line:

From point 123 (about 1,200 metres east of Magosliget) which is the point common to the three frontiers of Czecho-Slovakia, Roumania and Hungary, north-eastwards to the course of the Batar,

a line to be fixed on the ground;

thence eastwards to the point where it is left by the administrative boundary between the *comitats* of Ugocsa and Szatmar,

the course of the Batar upstream;

thence in a general easterly direction to point 652 situated on the Avas range about 6 kilom. south-west of Velete,

a line to be fixed on the ground parallel to the Halmi-Tiszaújlak road at a minimum distance of 1 kilom. from it, cutting the railway about 500 metres to the south of the station of Nevetlenfalva, then following generally the watershed between the basins of the Batar on the north and the Tur on the south and passing through points 238 and 582;

thence south-eastwards to point 943, south of Remete,

the watershed between the basins of the Tisza on the north and the Tur on the south;

thence northwards to a point to be chosen in the course of the Tisza about 1 kilom. upstream from Remete,

a line to be fixed on the ground;

thence eastwards to a point to be chosen above its confluence with the Visso, so as to leave the Maramarossziget-Borsa railway entirely in Roumanian territory while giving to Czecho-Slovakia the maximum facilities for the construction of a railway line Huszt, Also-Aspa, Korösmezo north of the river and entirely in Czecho-Slovak territory,

the course of the Tisza upstream;

thence eastwards to point 1655 which is the point on the Carpathians common to the basins of the three rivers Tisza, Visso and Czeremosz, the watershed between the basins of the Tisza and the Visso.

Point 1655 is the point common to the three frontiers of Czecho-Slovakia, Eastern Galicia and Roumania.

5. *With Eastern Galicia*, the following line:

From point 1655 described above west-north-westwards to its junction with the administrative boundary between the districts of Lisko and Turka, about 2 kilom. south of point 1335 (Halicz),

the old frontier between Galicia and Hungary;

6. *With Poland*, the frontier defined by Article 1 of the present Treaty and by Article 83 of the Treaty of Peace concluded with Germany on the 28th June, 1919.

A commission composed of seven members, five nominated by the Principal Allied and Associated Powers, one by Roumania and one by the Czecho-Slovak State, will be constituted within fifteen days from the coming into force of the present Treaty to trace on the spot the frontier line between Roumania and the Czecho-Slovak State.

Further stipulations will provide for tracing on the spot the frontier line between the Czecho-Slovak State and Eastern Galicia.

ARTICLE 3

Subject to the special provisions of the Treaties, Supplementary Agreements and Decisions concluded or to be concluded for the purpose of completing the present settlement, the High Contracting Parties recognise the sovereignty of Roumania over the territories defined by the following frontiers (*see map No. 2*):¹

1. *With Hungary*, the frontier defined by Article 27, 3, of the Treaty of Peace concluded with Hungary on the 4th June, 1920.

2. *With the Serb-Croat-Slovene State*, the following line:

From the point common to the three frontiers of Roumania, Hungary and the Serb-Croat-Slovene State, a point to be chosen on the ground about 4 kilom. south-west of Kiszombor Station, and approximately east-south-east of point 84 and south-south-east of point 83, in a general south-south-easterly direction to a point on the Zsombolya-Lovrin railway about 3 kilom. north of Zsombolya,

¹Not reproduced.

a line to be fixed on the ground passing east of Pusztakeresztur, west of Porgany and Bolgartelep; then between Valkany on the east and the Nagy-kikinda-Szeged railway on the west, then between Marienfeld (Mariaföldre) and Mokrin, east of Nakofalva and Seultour (Szentborbala), west of Banat-Komlos (Nagykomlos) and Osztern (Kiskomlos);

thence southwards to a point on the Temes between Surjan and Boka about 6 kilom. south of Modos,

a line to be fixed on the ground cutting the Temesvar-Nagykikinda railway between Zsombolya (Hatzfeld) and Gyertyamos and passing between Klari and Horvat-Kecsa (Köcse), west of Otelek, Janosföldre and Pardany, east of Tamasfalva and Felsöittebe, between Istvanföldre and Modos;

thence approximately south-eastwards to a point to be fixed between Jam and Mirkocz on the Karasjeszenö-Oraviczabanya railway,

a line to be fixed on the ground passing north of Kanak, between Szecsenfalva and Torontalujfalu, between Zichyfalva and Nagygyaj, between Verseczvat and Temesmora, between Kiszsam, Nagysztered, Temes-Kutas and Marktelke to the west and Nagyzzsam, Laczunas and Komornok (Komoriztye) to the east, between Temesszöllös and Varadia, between Csorda and Alsóvarany;

thence south-eastwards to a point to be fixed on the Nera about 1 kilom. east of the Kusics-Zlaticza (Neraaranyos) road,

a line to be fixed on the ground passing between Krusicza (Körted) and Nikolinez (Mikloshaza), curving east of point 234 and Rebenburg (Szöllőshegy) and thence west-south-westwards so as to allow the construction of a normal gauge railway in Roumanian territory along the valley of the Nera between Zlaticza (Neraaranyos) and Petrilova;

thence downstream to the confluence of the Nera and the Danube, the course of the Nera;

thence south-eastwards to the confluence of the Timok with the Danube, the principal channel of navigation of the Danube.

This confluence is the point common to the three frontiers of Bulgaria, Roumania and the Serb-Croat-Slovene State.

3. *With Bulgaria*, the frontier defined by Article 27, 5, of the Treaty of Peace concluded with Bulgaria on the 27th November, 1919.

4. *The Black Sea.*

5. *On the north-east*, a line to be subsequently determined.

6. *With Eastern Galicia*, the following line:

From the point common to the old boundaries of Bessarabia and Bukovina on the principal channel of the Dniester, to a point situated about 2 kilom. downstream from Zaleszczyki,

the principal channel of the Dniester upstream:

thence south-westwards to the point situated about 11 kilom. south-east of Horodenka where the administrative boundary between Galicia and Bukovina meets the boundary between the districts of Horodenka and Sniatyn,

a line to be fixed on the ground passing through points 317, 312 and 239; thence south-westwards to the point where it meets the old frontier between Hungary and Galicia,

the old administrative boundary between Galicia and Bukovina;

thence north-westwards to point 1655, which is the point of the Carpathians common to the basins of the three rivers Tisza, Visso and Czeremosz, the old frontier of Hungary with Galicia.

Point 1655 is the point common to the three frontiers of Roumania, Eastern Galicia and Czecho-Slovakia.

7. *With Czecho-Slovakia*: the frontier defined by Article 2, 4, of the present Treaty.

A Commission composed of seven members, five nominated by the Principal Allied and Associated Powers, one by Roumania and one by the Serb-Croat-Slovene State, shall be constituted within fifteen days from the coming into force of the present Treaty to trace on the spot the frontier line between Roumania and the Serb-Croat-Slovene State.

Subsequent stipulations will provide for tracing on the spot the frontier line between Roumania and Eastern Galicia.

ARTICLE 4

Subject to the special provisions of the Treaties, Supplementary Agreements and Decisions concluded or to be concluded for the purpose of completing the present settlement, the High Contracting Parties recognise the sovereignty of the Serb-Croat-Slovene State over the territories defined by the following frontiers (*see map No. 3*):¹

1. *With Italy and on the south*, a line to be subsequently determined;

2. *With Greece*, the frontier of the 1st January, 1914, between Serbia and Greece, then, as far as Mount Tumba, the old frontier between Bulgaria and Greece;

3. *With Bulgaria*, the frontier defined by Article 27, 1, of the Treaty of Peace concluded with Bulgaria on the 27th November, 1919;

4. *With Roumania*, the frontier defined by Article 3, 2, of the present Treaty;

5. *With Hungary*, the frontier defined by Article 27, 2, of the Treaty of Peace concluded with Hungary on 4th June, 1920;

6. *With Austria*, the frontier defined by Article 27 of the Treaty of Peace concluded with Austria on the 10th September, 1919.

ARTICLE 5

The provisions of Articles 28 to 35 and 362 of the Treaty of Peace with Hungary will apply to the tracing on the spot of the frontiers laid down by the present Treaty.

¹ Not reproduced.

The present Treaty, in French, in English and in Italian, of which the French text shall prevail in case of divergence, shall be ratified. The deposit of ratifications will be effected at Paris.

Powers of which the seat of the Government is outside Europe will be entitled merely to inform the Government of the French Republic through their diplomatic representative at Paris that their ratification has been given; in that case they must transmit the instrument of ratification as soon as possible.

The French Government will transmit to all the signatory Powers a certified copy of the procès-verbal of the deposit of ratifications.

A first procès-verbal of the deposit of ratifications will be drawn up as soon as the Treaty has been ratified by three of the Principal Allied and Associated Powers, Poland, Roumania, the Serb-Croat-Slovene State and Czecho-Slovakia.

The present Treaty will come into force between the High Contracting Parties who have ratified it when the Treaties of Peace with Austria and Hungary have come into force for them.

Done at Sèvres, the tenth day of August, one thousand nine hundred and twenty, in a single copy which will remain deposited in the archives of the Government of the French Republic, and of which authenticated copies will be transmitted to each of the Powers who sign the Treaty.

[L. S.] DERBY.

[L. S.] GEORGE H. PERLEY.

[L. S.] ANDREW FISHER.

[L. S.] JAMES ALLEN.

[L. S.] R. A. BLANKENBERG.

[L. S.] ARTHUR HIRTZEL.

[L. S.] A. MILLERAND.

[L. S.] F. FRANÇOIS-MARSAL.

[L. S.] JULES CAMBON.

[L. S.] PALÉOLOGUE.

[L. S.] BONIN.

[L. S.] VANNUTELLI REY.

[L. S.] K. MATSUI.

[L. S.] STEFAN OSUSKY.

CONVENTION BETWEEN THE UNITED KINGDOM AND BELGIUM RELATIVE TO
ARTICLE 296 OF THE TREATY OF VERSAILLES OF JUNE 28, 1919 (ENEMY
DEBTS)¹

*Signed at London, July 20, 1921; ratifications exchanged at London,
September 30, 1921*

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of the Belgians, with a view to the settlement of certain matters arising under Article 296 of the Treaty of Peace between the Allied and Associated Powers and Germany, signed at Versailles on the 28th June, 1919, have named as their Plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Right

¹ British Treaty Series, 1921, No. 19.

Honourable Earl Curzon of Kedleston, K.G., His Majesty's Principal Secretary of State for Foreign Affairs; and for the Dominion of Canada the Honourable Sir George Halsey Perley, K.C.M.G., High Commissioner for the Dominion of Canada in the United Kingdom; and for the Dominion of New Zealand the Honourable Sir James Allen, K.C.B., High Commissioner for the Dominion of New Zealand in the United Kingdom; and for India Sir William Stevenson Meyer, G.C.I.E., K.C.S.I., High Commissioner for India;

His Majesty the King of the Belgians: His Excellency Baron Moncheur, Commander of the Order of Leopold, &c., &c., His Majesty's Ambassador Extraordinary and Plenipotentiary;

Who having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows:—

ARTICLE 1

The provisions of Section III of Part X of the Treaty of Versailles of the 28th June, 1919, so far as they relate to enemy debts, shall apply, subject to the provisions of the present Convention, to Belgian nationals resident within the United Kingdom, Canada, New Zealand and India, British Colonies not possessing responsible Government and British Protectorates (with the exception of Egypt), in the same way and under the same conditions as to British nationals residing within these territories.

ARTICLE 2

Similarly, the provisions of Section III of Part X of the Treaty of Versailles of the 28th June, 1919, so far as they relate to enemy debts, shall apply, subject to the provisions of the present Convention, to British nationals resident in Belgium, and in the Belgian Congo, in the same way and under the same conditions as to Belgian nationals residing within these territories.

ARTICLE 3

Each of the High Contracting Parties is authorised to collect the debts of the nationals of the other High Contracting Party resident within its territory to German nationals admitted or found due in accordance with the provisions of Article 296 and the annex thereto, and shall be responsible for accounting to Germany for such debts in accordance with § (b) of Article 296.

Each of the High Contracting Parties shall effect payment to the nationals of the other High Contracting Party resident within its territory of the debts admitted or found due to them in accordance with the provisions of Article 296 and the annex thereto. Payment in full shall be effected upon admission subject to deduction of $2\frac{1}{2}$ per cent., or, in the case of Dominions, Colonies and Protectorates, such other percentage as may under local regulations be chargeable to nationals of the High Contracting Party effecting payment.

ARTICLE 4

This Convention is only applicable to the payment of enemy debts coming within paragraphs 1 and 2 of Article 296.

ARTICLE 5

Difficulties arising in the application of the present Convention shall be settled by direct agreement between the Controllers of the two Clearing Offices. In case of disagreement, the difficulty will be submitted to arbitration.

ARTICLE 6

This Convention, when duly ratified, shall be notified to Germany, and the period of six months referred to in paragraph 5 of the annex to Section III of the Treaty shall begin to run as from the date of such notification.

In witness whereof the Undersigned have signed the present Convention and have affixed thereto their seals.

Done in duplicate at London the 20th day of July, 1921.

[L. S.] CURZON OF KEDLESTON

[L. S.] GEORGE H. PERLEY

[L. S.] JAMES ALLEN

[L. S.] WILLIAM MEYER

[L. S.] BN. MONCHEUR

CONVENTION BETWEEN THE UNITED KINGDOM AND FRANCE RELATIVE TO
ARTICLE 296 OF THE TREATY OF VERSAILLES OF JUNE 28, 1919 (ENEMY
DEBTS)¹

*Signed at London, July 20, 1921; ratifications exchanged at London,
September 30, 1921*

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the French Republic, with a view to the settlement of certain matters arising under Article 296 of the Treaty of Peace between the Allied and Associated Powers and Germany, signed at Versailles on the 28th June, 1919, have named as their Plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India: the Right Honourable Earl Curzon of Kedleston, K.G., His Majesty's Principal Secretary of State for Foreign Affairs; and for the Dominion of Canada the Honourable Sir George Halsey Perley, K.C.M.G., High Commissioner for the Dominion of Canada in the United Kingdom; and for the Dominion of New Zealand the Honourable Sir James Allen, K.C.B., High Commissioner for the

¹ British Treaty Series, 1921, No. 18.

Dominion of New Zealand in the United Kingdom; and for India Sir William Stevenson Meyer, G.C.I.E., K.C.S.I., High Commissioner for India;

The President of the French Republic: His Excellency Count de Saint-Aulaire, Ambassador Extraordinary and Plenipotentiary of the French Republic at London;

Who having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows:—

ARTICLE 1

The provisions of Section III of Part X of the Treaty of Versailles of the 28th June, 1919, so far as they relate to enemy debts, shall apply, subject to the provisions of the present Convention, to French nationals resident within the United Kingdom, Canada, New Zealand, Newfoundland and India, British Colonies not possessing responsible Government and British Protectorates (with the exception of Egypt) in the same way and under the same conditions as to British nationals residing within these territories.

ARTICLE 2

Similarly the provisions of Section III of Part X of the Treaty of Versailles of the 28th June, 1919, so far as they relate to enemy debts, shall apply, subject to the provisions of the present Convention, to British nationals resident in France (including Alsace and Lorraine), Algeria, French Colonies and Protectorates in the same way and under the same conditions as to French nationals residing within these territories.

ARTICLE 3

Each of the High Contracting Parties is authorised to collect the debts of the nationals of the other High Contracting Party resident within its territory to German nationals admitted or found due in accordance with the provisions of Article 296 and the annex thereto, and shall be responsible for accounting to Germany for such debts.

Each of the High Contracting Parties shall effect payment to the nationals of the other High Contracting Party resident within its territory, of the debts admitted or found due to them in accordance with the provisions of Article 296 and the annex thereto. Payment in full shall be effected upon admission subject to deduction of $2\frac{1}{2}$ per cent.; or in the case of Dominions, Colonies and Protectorates, such other percentage as may under local regulations be chargeable to nationals of the High Contracting Party effecting payment.

ARTICLE 4

This Convention is only applicable to the payment of enemy debts coming within paragraphs 1 and 2 of Article 296.

ARTICLE 5

Difficulties arising in the application of the present Convention shall be settled by direct agreement between the Controllers of the two Clearing Offices. In case of disagreement the difficulty will be submitted to arbitration.

ARTICLE 6

This Convention, when duly ratified, shall be notified to Germany and the period of six months referred to in paragraph 5 of the annex to Section III of the Treaty shall begin to run as from the date of such notification.

In witness whereof the Undersigned have signed the present Convention and have affixed thereto their seals.

Done in duplicate at London the 20th day of July, 1921.

[L. S.] CURZON OF KEDLESTON

[L. S.] GEORGE H. PERLEY

[L. S.] JAMES ALLEN

[L. S.] WILLIAM MEYER

[L. S.] SAINT-AULAIRE

AGREEMENT BETWEEN THE BRITISH AND GERMAN GOVERNMENTS RESPECTING
ARTICLE 297 (e) OF THE TREATY OF VERSAILLES OF JUNE 28, 1919
(PAYMENT OF COMPENSATION IN RESPECT OF DAMAGE, &C., TO PROPERTY,
RIGHTS OR INTERESTS)¹

Signed at London, November 23, 1921

Whereas the German Government recognises its liability to make direct payments of such sums as may be found due from Germany under Article 297 (e) of the Treaty of Versailles, whether by award or by agreement, and the German Government, in view of its difficulties in providing the necessary funds in addition to those required to satisfy the monthly balances under paragraph 11 of the Annex to Section III of Part X of the Treaty, has requested that His Britannic Majesty's Government should, in order to meet such payments, apply the net proceeds of liquidation of German property, rights and interests from time to time coming into its hands, in so far as such proceeds shall not be required either for the purpose of the Clearing operation under Article 297 (h) (1) or to satisfy the claims of British nationals in whose favour the charge referred to in paragraph 4 of the Annex to Section IV of Part X may in the first place be created, other than those entitled to compensation under Article 297 (e) as above mentioned;

And whereas His Britannic Majesty's Government is desirous of meeting the request of the German Government, subject to the due fulfilment of the Agreement signed on the 10th June, 1921, by the representatives of the Allied and German Clearing Offices and subject to Germany undertaking to provide

¹ British Treaty Series, 1921, No. 27.

in cash any funds necessary to meet such payments for compensation if and in so far as such surplus net proceeds of liquidation may not suffice for that purpose;

Now it is hereby agreed and declared as follows:—

1. The German Government undertakes that Germany will provide the necessary funds to enable compensation due to British nationals under Article 297 (e) of the Treaty, whether under awards or by agreement, to be paid immediately upon the same becoming due, in so far as the net proceeds of liquidation at the dates of the respective accounts referred to in Article 2 in the hands of His Britannic Majesty's Government of German property, rights and interests shall be insufficient for that purpose, after making provision for the Clearing operation under Article 297 (h) (1) and satisfying the other claims of British nationals then entitled to payment (other than those above-mentioned entitled to compensation under Article 297 (e)), in whose favour in the first place a charge may be created over German property, rights and interests under paragraph 4 of the said Annex to Section IV.

2. For this purpose accounts showing the net proceeds of liquidation of German property, rights and interests and the cash assets referred to in Article 297 (h) (1) of the Treaty (other than such as have been released from the charge referred to above) which have come to the hands or under the control of His Britannic Majesty's Government up to the date of each account, and also any excess payments that may have been made at the date of each account by Germany under the Agreement of the 10th June, 1921, relating to the payment of the monthly balances under Article 296 shall be furnished to the German Clearing Office every three months, beginning on the 30th September, 1921, and a total account of the net proceeds of the liquidation of British property, rights and interests and cash assets which have come to the hands or under the control of the German Government up to the date of the account, shall be furnished to the British Clearing Office on the 30th September, 1921. Any necessary adjustments in such accounts shall be shown in subsequent accounts to be furnished every three months. Proceeds of liquidation and cash assets, in so far as they may arise from uncompleted British liquidations, shall not be credited until the completion thereof, except where the liquidator certifies that no portion of the sums paid over to the Custodian will be required for the purpose of the liquidation.

3. In the event of any such accounts furnished by the British Clearing Office, after taking into account the said net proceeds of liquidation and cash assets in Germany showing that the said net proceeds and cash assets in the hands or under the control of His Britannic Majesty's Government, together with any such excess payments as aforesaid, after making provision for the Clearing operation under Article 297 (h) (1) and satisfying the other claims of British nationals as above mentioned, are for the time being insufficient to meet the claims of persons entitled to compensation under Article 297 (e) as above mentioned, the German Government will pay to the British Clearing

Office in cash the amount of the deficiency within fourteen days from the delivery of the further account next hereinafter mentioned. The British Clearing Office will, upon receipt of the account to be furnished to such Office under Article 2, deliver a further account to the German Clearing Office in the form of the specimen account set out in the Schedule to this Agreement showing the balance, if any, payable thereunder.

4. Nevertheless, if upon any subsequent further account a balance shall be shown in favour of Germany after taking into account sums paid or payable in respect of compensation awarded or agreed under Article 297 (e), the British Clearing Office shall immediately refund to the German Government in cash up to the limit of such balance the amounts already paid in cash by Germany under Article 3, the intention being that the total amounts to be paid by Germany under Article 3 shall be limited to the deficiency shown by each successive account so to be furnished by the British Clearing Office under this Agreement.

5. The provisions of this Agreement shall not apply to any costs or expenses awarded by the competent Tribunal appointed under the Treaty, which shall be payable direct forthwith.

6. This Agreement shall not in the first instance apply to the property, rights and interests or the claims of British nationals ordinarily resident in Egypt or in any other part of the British Empire outside the United Kingdom, Colonies not possessing responsible Government and Protectorates, or in China, nor to the property rights or interests of German nationals in Egypt, or in any other part of the British Empire outside the United Kingdom and such Colonies and Protectorates as aforesaid or under the control of the British authorities in China.

Nevertheless at the request of His Britannic Majesty's Government made at any time within six months from the present date, the Agreement shall be made to apply reciprocally to any other part of the British Empire in its present form, or with such modifications as may be agreed upon between the Contracting Parties.

7. It is agreed that it is only the Parties to this Agreement who may avail themselves of the recognition by the German Government of its liability to pay direct the sums found to be due by Germany under Article 297 (e).

8. Any difference which may arise between the High Contracting Parties as to the construction or effect of this Agreement may be referred by either Party to the Anglo-German Mixed Arbitral Tribunal, whose decision shall be final.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present Agreement and have affixed their seals thereto.

Done in duplicate at London, in English and German texts, the 23rd November, 1921.

[L. S.] CURZON OF KEDLESTON.

[L. S.] STHAMER.

SCHEDULE

Specimen of further Account referred to in Article 3 of this Agreement

September 30, 1921

[Account No. 1

Proceeds of liquidation of property, rights and interests and cash assets belonging to nationals of the United Kingdom and Colonies and Protectorates not possessing responsible Government.

Sums already credited through £ £
Liquidation Account, per Liq-
uidation Account No. 1,500

Add approximate total of further
sums realised, in respect of
which it has not yet been pos-
sible to give credit, subject to
adjustment hereafter. 1,200

—2,700

*Claims of British nationals in whose
favour the charge referred to in
paragraph 4 of the annex to Section
IV of Part X of the Treaty of Versailles
may in the first place be created, other
than those entitled to compensation
under Article 297 (e).*

Unpaid balance of Monthly Ac- £
count No. 50
Other claims 50

—100

Balance carried down. 300

3,100

*Compensation determined in favour
of British nationals by award or
by agreement to date. 700*

700

*Proceeds of liquidation of German prop-
erty, rights and interests and cash assets
in the United Kingdom and Colonies and
Protectorates not possessing responsible
Government.*

Sums already credited through £ £
Liquidation Account, per Liq-
uidation Account No. 700

Add approximate total of further
sums realised, in respect of
which it has not yet been pos-
sible to give credit, subject to
adjustment hereafter. 2,400

—3,100

3,100

*Balance of proceeds of liquidation
and cash assets after making pro-
vision for the claims of British na-
tionals as set out in this agreement,
brought down. 300*

Amount payable by Germany to
Great Britain under this agreement. 400

700

SCHEDULE

Specimen of further Account referred to in Article 3 of this Agreement

December 31, 1921

[Account No. 2]

Proceeds of liquidation of property, rights and interests and cash assets belonging to nationals of the United Kingdom and Colonies and Protectorates not possessing responsible Government.

Sums already credited through £	£
Liquidation Account, per Liquidation Account No.	2,000
Add approximate total of further sums realised, in respect of which it has not yet been possible to give credit, subject to adjustment hereafter.	700
	<u>2,700</u>

Claims of British nationals in whose favour the charge referred to in paragraph 4 of the annex to section 4 of Part X of the Treaty of Versailles may in the first place be created other than those entitled to compensation under article 297 (e)	75
Balance carried down	<u>1,325</u>

4,100

Compensation determined in favour of British nationals by award or by agreement to date	1,150
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Balance in favour of Germany	175
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1,325

Proceeds of liquidation of German property rights and interests and cash assets in the United Kingdom and Colonies and Protectorates not possessing responsible Government.

Sums already credited through £	£
Liquidation Account, per Liquidation Account No.	2,100
Add approximate total of further sums realised, in respect of which it has not yet been possible to give credit, subject to adjustment hereafter.	1,900
	<u>4,000</u>

Payment in excess of the balance of Monthly Account No.	100
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4,100

Balance of proceeds of liquidation and cash assets after making provision for the claims of British nationals as set out in this agreement, brought down	1,325
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1,325

Germany has paid to Great Britain under the provisions of the agreement per Account No. 1	£ 400
Germany is therefore entitled to be repaid the amount of the above balance	<u>175</u>

Leaving a credit in Germany's favour to be carried forward to Account No. 3 of	225
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AMENDED AGREEMENT BETWEEN THE BRITISH AND GERMAN GOVERNMENTS
RESPECTING ARTICLE 297 OF THE TREATY OF VERSAILLES OF JUNE 28,
1919 (PROPERTY, RIGHTS AND INTERESTS)¹

*Signed at London, December 31, 1920; ratifications exchanged at London,
October 6, 1921*

THE Government of His Britannic Majesty and the German Government, with a view to the settlement of certain matters arising under Article 297 of the Treaty of Peace between the Allied and Associated Powers and Germany signed at Versailles on the 28th June, 1919, have agreed as follows:—

ARTICLE 1

The Departments established in the United Kingdom and Germany for the settlement of matters relating to property, rights and interests will mutually appoint a representative or representatives in Berlin and London, through whose intervention communications may be exchanged between the respective Departments. These representatives will constitute in London and Berlin respectively offices which shall be established at the earliest possible date.

ARTICLE 2

Property, rights and interests in Germany of British nationals which have been subjected to exceptional war measures, but have not been completely liquidated, shall be restored to them immediately upon application, in accordance with the provisions of Article 297 (a), free of any private lien in respect of any of the matters referred to in Article 4, or of any costs, charges or expenses of liquidation, administration or supervision, or any deduction whatsoever. The right of private persons to make such claims in respect of maintenance, safe keeping or administration as are provided for under Article 4 is however recognised. This application may be made by the owner or his agent direct to the "Landeszentralbehörde" concerned, or, if it is not known in what part of Germany the property is situated, to the "Reichsministerium für Wiederaufbau." It shall be in writing and shall be signed by the applicant, whose signature shall be duly authenticated, and, if the applicant is the agent of the owner, it shall be accompanied by duly authenticated proof of his authorisation.

It shall state—

1. The name and address of the owner.
2. The name of his agent (if any) and the address at which the property, rights or interests, or the documents of title shall be delivered.
3. A list, as complete as possible, of the property, rights and interests to be restored. If this list cannot be made complete by the owner, it shall

¹ British Treaty Series, 1921, No. 26.

be completed by the German authorities from the information in their possession.

4. A detailed statement as to the locality where the property to be restored was left by the owner, or, in the case of real property or business undertakings, a statement of the locality in which such property or undertakings was situated.

Applications should be signed by the applicant, under whose signature a justice of the peace, barrister or commissioner for oaths should certify—

(a.) That the applicant is well known to him.

(b.) That the signature is the signature of the applicant.

The person so certifying shall give his description and address.

Such a certificate shall be regarded as sufficient proof of the authenticity of the applicant's signature.

Alternatively, the application shall be accompanied by a statutory declaration, declared before a justice of the peace or a commissioner for oaths by the applicant, to the effect that he is the owner of the property in question. In any special case, such as that of inheritance, in which the ownership of the property has been altered since the taking effect of the exceptional war measure, the German authority shall, in addition to the certified application, be entitled to call for production of a statutory declaration setting out the title to the property of the claimant.

ARTICLE 3

Where any prohibition or restriction exists upon the exportation from Germany of British property detained in Germany during the war, a licence to export such property, free of all conditions, shall be issued by the competent German authority immediately upon application by the British Office through the "Reichsministerium für Wiederaufbau."

ARTICLE 4

Claims by private persons in respect of expenses incurred in maintenance, safe-keeping and administration of British property in Germany will be settled in the following ways: the property in question shall be restored immediately upon application by the owner, free of any private lien in connection with such expenses.

(a.) In the case of claims constituting debts within the scope of the Clearing Office, the British Clearing Office will guarantee to credit to the German Clearing Office such sums as may be admitted or found due, without taking advantage of the exceptions contained in paragraph (b) of Article 296 and paragraph 4 of the Annex thereto.

(b.) Claims in respect of the period up to the 10th January, 1920, not falling within the scope of the Clearing Offices will be met by the German Government under paragraph (i) of Article 297. Any amounts admitted or found due from British nationals by the Mixed Arbitral Tribunal, to whose

decision they shall in case of dispute be submitted, in respect of such claims will be credited to the German Government in the account relating to German property, rights and interests.

(c.) Claims in respect of the period after the 10th January, 1920, if not admitted by the owner, will be submitted for decision to the Mixed Arbitral Tribunal, and the British Clearing Office will guarantee payment of any amounts admitted or found due from British nationals by the Tribunal.

The obligation of the German Government under Article 2 and the present Article to restore property free of any private lien shall not apply to any property in respect of which the British Office declines to apply the provisions of the present Article.

ARTICLE 5

A statement of the condition of the property, rights or interests restored shall be drawn up in writing in quadruplicate at the time of restitution and signed by the German administrator, liquidator or supervisor (as the case may be), a representative of the German State Department ("Landeszentralbehörde") and the owner; one copy to be retained by the owner, one by the State Department, one by the administrator, liquidator or supervisor, and one to be transmitted by the State Department to the British Office in Berlin.

ARTICLE 6

Without prejudice to the rights of His Majesty's Government or the owner under paragraphs 8 and 13 of the Annex to Section 4 of Part X of the Treaty of Versailles, delivery of the documents referred to under Article 13 of the Annex relating to property, rights and interests falling within Article 297 (a) shall not ordinarily be required until the restitution of the property, rights or interests. Nevertheless the final report of the liquidator, administrator or supervisor and any further summary information required by the owner shall be handed or sent to him at his request at any time, whether before or after application for restitution, and he shall be given free access to all the documents referred to above. Where property has been completely liquidated all the documents shall be handed to the British national concerned, or to his representative, or if so desired by him, sent to him or to such person as he may direct, at his expense and risk immediately upon his application by the Landeszentralbehörde, or the Reichsministerium.

ARTICLE 7

In all relations with the German authorities under the preceding Articles British nationals may act personally or through the British Clearing Office or other authorised agent. If the British Clearing Office is appointed agent to act on behalf of a British national, it shall furnish the German Office with a certificate to the effect. Delivery to the British Clearing Office or other authorised agent shall be equivalent to delivery to the owner.

ARTICLE 8

In so far as it is not otherwise expressly agreed by the claimant, the signature by the claimant or his agent to any kind of document in connection with the restitution to him direct of his property, rights or interests, whether affixed before or after the signing of this Agreement, shall in no way prejudice any right to compensation which the claimant may have under the provisions of the Treaty of Versailles.

ARTICLE 9

Any entries in Public Registers and Land Registers necessary in order to effect, complete or validate the restitution of property, rights or interests referred to in this Agreement to the British national concerned, will be made by the German authorities without delay and free of cost, in accordance with the provisions of the local law.

ARTICLE 10

Claims by British nationals for compensation under Article 297 (e) may, notwithstanding their notification to the Mixed Arbitral Tribunal, be submitted through the British Office in Berlin to the German authorities concerned for the purpose of effecting settlement of the claims by agreement, and the State Department concerned may transmit to the British Office the terms of settlement proposed by them in respect of any claim. If a settlement is arrived at as a result of negotiations thus originated, the German Government shall transmit to the British Office in Berlin a consent to such settlement, which shall be submitted to the Mixed Arbitral Tribunal for formal judgment.

ARTICLE 11

The British Government will be prepared, on application through the German Office in London, to release from the charge established under the Treaty of Peace household furniture and effects, personal belongings and family souvenirs, and implements of trade belonging to German nationals, with the exception of articles of special value, up to an amount of 500*l.*, in addition to the amount of the charges for their conservation and insurance incurred after the 4th August, 1914, and up to the date of their release, in any case where the competent German authority certifies that the income of the applicant does not exceed the equivalent of 400*l.* a year at current rate of exchange. The value of the property to be released, unless otherwise agreed, shall be determined by a licensed valuer to be appointed by the British Clearing Office, and the charge for such valuation shall be paid by the owner of the property prior to its release. Applications for such release must be made within a period of six months from the ratification of this Agreement.

Subject to the right of the British authorities to refuse permission in any particular case, and to the laws for the time being in force, German nationals will be permitted, on request conveyed to the British Clearing Office, to bid

at any sale by auction of their property in the United Kingdom. The date of any sale of property in respect of which such a request is made shall be notified to the German Office.

ARTICLE 12

Property released under the provisions of the first paragraph of the preceding Article will be placed at the disposal of the claimant, or the German Office in London, upon payment of any expenses incurred by the British authorities, and of any other charges on the property, notwithstanding the fact that such charges or expenses may constitute debts within the meaning of Article 296.

ARTICLE 13

The British Clearing Office will furnish the German Office in London with summaries in respect of German property rights and interests liquidated in the United Kingdom.

The existing books of account of German businesses liquidated in the United Kingdom, or other parts of the British Empire above referred to, except where they have been transferred to the purchaser of a business, will be preserved and ultimately handed to the German authorities. In the meantime the former German owner will be permitted access to the said books on payment of any incidental expenses, and where such books are in the custody of a purchaser, an endeavour will be made to procure access thereto for the former German owner on the like terms.

The British Clearing Office will also furnish summary particulars, if in its possession, of the results of sales by auction or tender and also summary particulars of property registered with the British custodian in individual cases at the request of the German Office in London.

ARTICLE 14

Where property, rights or interests of German nationals or the proceeds thereof, not being debts within Article 296, are or have been released from the charge created under section 4 of Part X, the German Office in London will be notified by the British Clearing Office and the property or proceeds will not be accounted for through the Clearing Offices.

ARTICLE 15

This Agreement shall be ratified, and the ratifications shall be exchanged at London as soon as possible. Pending the ratification, both parties shall bring into application the provisions of the Agreement, so far as it is possible to apply them administratively, it being understood, however, that the actual release of German property from the charge established under the Treaty of Peace, provided for in Article 11, will not take place until after ratification.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present Agreement and have affixed thereto their seals.

Done in duplicate at London, in English and German texts, the 31st day of December, 1920.

[L. S.] CURZON OF KEDLESTON.

[L. S.] STHAMER.

Protocol

ON proceeding to sign the Agreement concluded this day between the United Kingdom and Germany, concerning the execution of Article 297 of the Treaty of Versailles, the undersigned, in order to define precisely to what classes of persons and property the Agreement relates, have drawn up the following declaration:—

It is agreed that the stipulations of the said Agreement cannot be invoked in respect of British nationals ordinarily resident and British Companies incorporated in any part of the British Empire outside the United Kingdom, and that similarly the stipulations of the Agreement cannot be invoked to the benefit of German nationals in respect of their property, rights or interests in any part of the British Empire outside the United Kingdom.

Nevertheless, at the request of His Britannic Majesty's Government made at any time within three months from the present date, the Agreement shall be made to apply reciprocally to India as well as to the United Kingdom, in its present form or with such modifications as may be agreed upon between the Contracting Parties.

In witness whereof the undersigned have signed the present Protocol and affixed thereto their seals.

Done at London in duplicate, this 31st day of December, 1920.

[L. S.] CURZON OF KEDLESTON.

[L. S.] STHAMER.

Certificate of Exchange of Ratifications

THE Undersigned having met together for the purpose of exchanging the Ratifications of an Agreement and Protocol between the Government of His Britannic Majesty and the German Government, signed at London on the 31st day of December, 1920, relating to the settlement of certain matters arising under Article 297 of the Treaty of Versailles, and having this day signed an Additional Protocol correcting certain minor textual errors in the said Agreement and Protocol, and the respective Ratifications of the said Agreement and Protocol, as thus amended, having been carefully compared, and found to be exactly conformable to each other, the said exchange took place this day in the usual form.

It is further agreed that, notwithstanding the Protocol of the 31st December, 1920, the Agreement of that date shall apply as between Germany and New Zealand as well as between Germany and the United Kingdom, so that the stipulations may be invoked in respect of British nationals ordinarily resident and British companies incorporated in New Zealand and in respect of the property, rights and interests in New Zealand of German nationals.

In witness whereof they have signed the present certificate, and have affixed thereto the seal of their arms.

Done at London, the 6th day of October, 1921.

[L. S.] CURZON OF KEDLESTON.

[L. S.] DUFOUR-FERONCE.

PROTOCOL MODIFYING ANNEX II TO PART VIII OF THE TREATY OF VERSAILLES
OF JUNE 28, 1919¹

Signed at London, May 5, 1921

The Undersigned, duly authorised to that effect, have agreed as follows:—

The Governments of Belgium, France, Great Britain, Italy and Japan, being the Governments represented on the Reparation Commission, unanimously decide, in application of paragraph 22 of Annex II to Part VIII of the Treaty of Versailles, to amend as follows the paragraphs of the said Annex hereafter mentioned.

This decision shall be notified to the Powers signatory of the said Treaty and to the Reparation Commission.

Modifications Made in Annex II to Part VIII of the Peace Treaty

Paragraph 12 (a).

(a) Notwithstanding the stipulations of sub-paragraph (c) of paragraph 12 of Annex II to Part VIII, the Reparation Commission shall have power to increase the rate of interest from 2½ per cent. to 5 per cent. for the period from the 1st May, 1921, to the 1st May, 1926, on bonds issued or to be issued under sub-paragraphs (1) and (2) of paragraph 12 (c), and to provide for the commencement of the sinking fund payments on such bonds as from the 1st May, 1921, provided that any additional sums required for such increase of interest and payment of sinking fund shall be compensated by the reduction below 5 per cent. of the rate of interest to be debited under paragraph 16 of Annex II to Germany as from the 1st May, 1921, in respect of debt not covered by bonds.

Power is given to the Reparation Commission to call upon Germany for the issue of new bonds bearing 5 per cent. interest and 1 per cent. sinking

¹ British Treaty Series, 1921, No. 12.

fund from the 1st May, 1921, in exchange for the surrender by the Reparation Commission of bonds already issued under paragraph c (1) and (2).

Power is given to the Reparation Commission to defer from the 1st May to the 1st November, 1921, the date of commencement of interest and of sinking fund on the whole or any part of the new bonds to be issued in exchange for bonds issued under paragraph (c) (1) and (2).

Power is given to the Reparation Commission to consolidate with the general bond issue the special issue of bonds in respect of Belgian debt provided for in Article 232 of the Treaty.

Power is given to the Reparation Commission to divide the total amount of the bonds into series having different priorities of charge.

(b) Power is given to the Reparation Commission to require Germany to assign certain revenues and assets to be specified to the service of the bonds either as a whole or as to separate series.

(c) Power is given to the Reparation Commission to require such assignment of specific revenues and assets to be specified in the terms of the bonds to be issued under paragraph 12 (c); bonds in which such assignment is specified shall, notwithstanding anything contained in paragraph 12 (b), be deemed to remain part of the reparation indebtedness of Germany, even though disposed of outright to persons other than the several Governments in whose favour Germany's original reparation indebtedness was created.

(d) Power is given to a Committee of Guarantees, to be appointed by the Reparation Commission under paragraph 7 of Annex II, to supervise the application of the assigned revenues and to prescribe the dates and manner of payment of sums due for the service of the bonds or other payments in respect of the German debt.

The revenues to be assigned by the German Government shall be:—

(1) The proceeds of all German maritime and land customs and duties and in particular the proceeds of all import and export duties;

(2) The proceeds of the levy of 25 per cent. on the value of all exports from Germany, except those exports upon which a levy of not less than 25 per cent. is applied under the legislation of any Allied Power;

(3) The proceeds of such direct or indirect taxes or any other funds as may be proposed by the German Government and accepted by the Committee of Guarantees in addition to or in substitution for the funds specified in (1) or (2) above.

The Committee of Guarantees shall not be authorised to interfere in German administration.

(e) Power is given to the Reparation Commission to require the issue of bonds without coupons in respect of any part of the debt not for the time being covered by bonds issued in accord with paragraph 12 (c) as amended. The German Government shall be required to issue coupons in respect of such bonds as from such subsequent date as may be determined by the Reparation Commission as and when the Commission is satisfied that

Germany can meet interest and sinking fund obligations; the sinking fund payments shall begin at the same date.

Bonds for which coupons have not been issued shall be deemed to be debt not covered by bonds for the purpose of debiting interest under paragraph 16 of Annex II as amended.

Paragraph 19 (2).

Germany shall on demand provide such material and labour as any of the Allied Powers may, with the prior approval of the Reparation Commission, require towards the restoration of the devastated areas of that Power, or to enable any Allied Power to proceed with the restoration or development of its industrial or economic life. The value of such material and labour shall be determined by a valuer appointed by Germany and a valuer appointed by the Power concerned, and in default of agreement by a referee nominated by the Reparation Commission.

HENRI JASPAR.

AR. BRIAND.

D. LLOYD GEORGE.

C. SFORZA.

HAYASHI.

OFFICIAL DOCUMENTS

AGREEMENT BETWEEN THE UNITED STATES AND GERMANY PROVIDING FOR THE DETERMINATION OF THE AMOUNT OF THE CLAIMS AGAINST GERMANY¹

Signed at Berlin, August 10, 1922.

The United States of America and Germany, being desirous of determining the amount to be paid by Germany in satisfaction of Germany's financial obligations under the treaty concluded by the two governments on August 25, 1921,² which secures to the United States and its nationals rights specified under a resolution of the Congress of the United States of July 2, 1921, including rights under the Treaty of Versailles, have resolved to submit the questions for decision to a mixed commission and have appointed as their plenipotentiaries for the purpose of concluding the following agreement:

The President of the United States of America, Alanson B. Houghton, Ambassador Extraordinary and Plenipotentiary of the United States of America to Germany, and

The President of the German Empire, Dr. Wirth, Chancellor of the German Empire,

Who, having communicated their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I

The commission shall pass upon the following categories of claims which are more particularly defined in the treaty of August 25, 1921, and in the Treaty of Versailles:

(1) Claims of American citizens, arising since July 31, 1914, in respect of damage to, or seizure of, their property, rights and interests, including any company or association in which they are interested, within German territory as it existed on August 1, 1914;

(2) Other claims for loss or damage to which the United States or its nationals have been subjected with respect to injuries to persons, or to property, rights and interests, including any company or association in which American nationals are interested, since July 31, 1914, as a consequence of the war;

(3) Debts owing to American citizens by the German Government or by German nationals.

¹ U. S. Treaty Series, No. 665.

² Printed in SUPPLEMENT to this JOURNAL, January, 1922 (Vol. 16), p. 10.

ARTICLE II

The Government of the United States and the Government of Germany shall each appoint one commissioner. The two governments shall by agreement select an umpire to decide upon any cases concerning which the commissioners may disagree, or upon any points of difference that may arise in the course of their proceedings. Should the umpire or any of the commissioners die or retire, or be unable for any reason to discharge his functions, the same procedure shall be followed for filling the vacancy as was followed in appointing him.

ARTICLE III

The commissioners shall meet at Washington within two months after the coming into force of the present agreement. They may fix the time and the place of their subsequent meetings according to convenience.

ARTICLE IV

The commissioners shall keep an accurate record of the questions and cases submitted and correct minutes of their proceedings. To this end each of the governments may appoint a secretary, and these secretaries shall act together as joint secretaries of the commission and shall be subject to its direction.

The commission may also appoint and employ any other necessary officer or officers to assist in the performance of its duties. The compensation to be paid to any such officer or officers shall be subject to the approval of the two governments.

ARTICLE V

Each government shall pay its own expenses, including compensation of its own commissioner, agent or counsel. All other expenses which by their nature are a charge on both governments, including the honorarium of the umpire, shall be borne by the two governments in equal moieties.

ARTICLE VI

The two governments may designate agents and counsel who may present oral or written arguments to the commission.

The commission shall receive and consider all written statements or documents which may be presented to it by or on behalf of the respective governments in support of or in answer to any claim.

The decisions of the commission and those of the umpire (in case there may be any) shall be accepted as final and binding upon the two governments.

ARTICLE VII

The present agreement shall come into force on the date of its signature.

In faith whereof, the above named plenipotentiaries have signed the present agreement and have hereunto affixed their seals.

Done in duplicate at Berlin this tenth day of August 1922.

[SEAL.] ALANSON B. HOUGHTON.

[SEAL.] WIRTH.

PERMANENT COURT OF INTERNATIONAL JUSTICE

RULES OF COURT

Adopted by the Court March 24th, 1922¹

PREAMBLE

The Court, by virtue of Article 30 of its Statute, adopts the present Rules:

CHAPTER I. THE COURT

HEADING 1.—CONSTITUTION OF THE COURT

SECTION A. JUDGES AND ASSESSORS

ARTICLE 1

Subject to the provisions of Article 14 of the Statute, the term of office of judges and deputy-judges shall commence on January 1st of the year following their election.

ARTICLE 2

Judges and deputy-judges elected at an earlier session of the Assembly and of the Council of the League of Nations shall take precedence respectively over judges and deputy-judges elected at a subsequent session. Judges and deputy-judges elected during the same session shall take precedence according to age. Judges shall take precedence over deputy-judges.

National judges chosen from outside the Court, under the terms of Article 31 of the Statute, shall take precedence after deputy-judges in order of age.

The list of deputy-judges shall be prepared in accordance with these principles.

The Vice-President shall take his seat on the right of the President. The other members of the Court shall take their seats to the right and left of the President in the order laid down above.

ARTICLE 3

Deputy-judges whose presence is necessary shall be summoned in the order laid down in the list referred to in the preceding article, that is to say, each of them will be summoned in rotation throughout the list.

Should a deputy-judge be so far from the seat of the Court that, in the opinion of the President, a summons would not reach him in sufficient time, the deputy-judge next on the list shall be summoned; nevertheless, the judge to whom the summons should have been addressed shall be called upon, if possible, on the next occasion that the presence of a deputy-judge is required.

A deputy-judge who has begun a case shall be summoned again, if necessary out of his turn, in order to continue to sit in the case until it is finished.

¹ Printed at The Hague by Van Langenhuisen Bros.

Should a deputy-judge be summoned to take his seat in a particular case as a national judge, under the terms of Article 31 of the Statute, such summons shall not be regarded as coming within the terms of the present article.

ARTICLE 4

In cases in which one or more parties are entitled to choose a judge *ad hoc* of their nationality, the full Court may sit with a number of judges exceeding eleven.

When the Court has satisfied itself, in accordance with Article 31 of the Statute, that there are several parties in the same interest and that none of them has a judge of its nationality upon the bench, the Court shall invite them, within a period to be fixed by the Court, to select by common agreement a deputy judge of the nationality of one of the parties, should there be one; or, should there not be one, a judge chosen in accordance with the principles of the above-mentioned article.

Should the parties have failed to notify the Court of their selection or choice when the time limit expires, they shall be regarded as having renounced the right conferred upon them by Article 31.

ARTICLE 5

Before entering upon his duties, each member of the Court or judge summoned to complete the Court, under the terms of Article 31 of the Statute, shall make the following solemn declaration in accordance with Article 20 of the Statute:

"I solemnly declare that I will exercise all my powers and duties as a judge honorably and faithfully, impartially and conscientiously."

A special public sitting of the Court may, if necessary, be convened for this purpose.

At the public inaugural sitting held after a new election of the whole Court the required declaration shall be made first by the President, secondly by the Vice-President, and then by the remaining judges in the order laid down in Article 2.

ARTICLE 6

For the purpose of applying Article 18 of the Statute, the President, or if necessary the Vice-President, shall convene the judges and deputy-judges. The member affected shall be allowed to furnish explanations. When he has done so the question shall be discussed and a vote shall be taken, the member in question not being present. If the members present are unanimously agreed, the Registrar shall issue the notification prescribed in the above-mentioned article.

ARTICLE 7

The President shall take steps to obtain all information which might be helpful to the Court in selecting technical assessors in each case. With

regard to the questions referred to in Article 26 of the Statute, he shall, in particular, consult the Governing Body of the International Labor Office.

The assessors shall be appointed by an absolute majority of votes, either by the Court or by the special Chamber which has to deal with the case in question.

ARTICLE 8

Assessors shall make the following solemn declaration at the first sitting of the Court at which they are present:

“I solemnly declare that I will exercise my duties and powers as an assessor honorably and faithfully, impartially and conscientiously, and that I will scrupulously observe all the provisions of the Statute and of the Rules of Court.”

SECTION B. THE PRESIDENCY

ARTICLE 9

The election of the President and Vice-President shall take place at the end of the ordinary session immediately before the normal termination of the period of office of the retiring President and Vice-President.

After a new election of the whole Court, the election of the President and Vice-President shall take place at the commencement of the following session. The President and Vice-President elected in these circumstances shall take up their duties on the day of their election. They shall remain in office until the end of the second year after the year of their election.

Should the President or the Vice-President cease to belong to the Court before the expiration of their normal term of office, an election shall be held for the purpose of appointing a substitute for the unexpired portion of their term of office. If necessary, an extraordinary session of the Court may be convened for this purpose.

The elections referred to in the present article shall take place by secret ballot. The candidate obtaining an absolute majority of votes shall be declared elected.

ARTICLE 10

The President shall direct the work and administration of the Court; he shall preside at the meetings of the full Court.

ARTICLE 11

The Vice-President shall take the place of the President, should the latter be unable to be present, or, should he cease to hold office, until the new President has been appointed by the Court.

ARTICLE 12

The President shall reside within a radius of ten kilometres from the Peace Palace at the Hague.

The main annual vacation of the President shall not exceed three months.

ARTICLE 13

After a new election of the whole Court and until such time as the President and Vice-President have been elected, the judge who takes precedence according to the order laid down in Article 2, shall perform the duties of President.

The same principle shall be applied should both the President and the Vice-President be unable to be present, or should both appointments be vacant at the same time.

SECTION C. THE CHAMBERS

ARTICLE 14

The members of the Chambers constituted by virtue of Articles 26, 27 and 29 of the Statute shall be appointed at a meeting of the full Court by an absolute majority of votes, regard being had for the purposes of this selection to any preference expressed by the judges, so far as the provisions of Article 9 of the Statute permit.

The substitutes mentioned in Articles 26 and 27 of the Statute shall be appointed in the same manner. Two judges shall also be chosen to replace any member of the Chamber for summary procedure who may be unable to sit.

The election shall take place at the end of the ordinary session of the Court, and the period of appointment of the members elected shall commence on January 1st of the following year.

Nevertheless, after a new election of the whole Court the election shall take place at the beginning of the following session. The period of appointment shall commence on the date of election and shall terminate, in the case of the Chamber referred to in Article 29 of the Statute, at the end of the same year and, in the case of the Chambers referred to in Articles 26 and 27 of the Statute, at the end of the second year after the year of election.

The Presidents of the Chambers shall be appointed at a sitting of the full Court. Nevertheless, the President of the Court shall, *ex officio*, preside over any Chamber of which he may be elected a member; similarly, the Vice-President of the Court shall, *ex officio*, preside over any Chamber of which he may be elected a member, provided that the President is not also a member.

ARTICLE 15

The special Chambers for labor cases and for communications and transit cases may not sit with a greater number than five judges.

Except as provided in the second paragraph of the preceding article, the composition of the Chamber for summary procedure may not be altered.

ARTICLE 16

Deputy-judges shall not be summoned to complete the special Chambers or the Chamber for summary procedure, unless sufficient judges are not available to complete the number required.

SECTION D. THE REGISTRY

ARTICLE 17

The Court shall select its Registrar from amongst candidates proposed by members of the Court.

The election shall be by secret ballot and by a majority of votes. In the event of an equality of votes, the President shall have a casting vote.

The Registrar shall be elected for a term of seven years commencing on January 1st of the year following that in which the election takes place. He may be re-elected.

Should the Registrar cease to hold his office before the expiration of the term above-mentioned, an election shall be held for the purpose of appointing a successor.

ARTICLE 18

Before taking up his duties, the Registrar shall make the following declaration at a meeting of the full Court:

“I solemnly declare that I will perform the duties conferred upon me as Registrar of the Permanent Court of International Justice in all loyalty, discretion and good conscience.”

The other members of the Registry shall make a similar declaration before the President, the Registrar being present.

ARTICLE 19

The Registrar shall reside within a radius of ten kilometres from the Peace Palace at The Hague.

The main annual vacation of the Registrar shall not exceed two months.

ARTICLE 20

The staff of the Registry shall be appointed by the Court on proposals submitted by the Registrar.

ARTICLE 21

The regulations for the staff of the Registry shall be adopted by the President on the proposal of the Registrar, subject to subsequent approval by the Court.

ARTICLE 22

The Court shall determine or modify the organization of the Registry upon proposals submitted by the Registrar. On the proposal of the Registrar, the President shall appoint the member of the Registry who is to act for the Registrar in his absence, or, in the event of his ceasing to hold his office, until a successor has been appointed.

ARTICLE 23

The registers kept in the archives shall be so arranged as to give particulars with regard to the following points amongst others:

1. for each case or question, all documents pertaining to it and all action taken with regard to it in chronological order; all such documents shall bear the same file number and shall be numbered consecutively within the file;
 2. all decisions of the Court in chronological order, with references to the respective files;
 3. all advisory opinions given by the Court in chronological order, with references to the respective files;
 4. all notifications and similar communications sent out by the Court, with references to the respective files.
- Indexes kept in the archives shall comprise:
1. a card index of names with necessary references;
 2. a card index of subject matter with like references.

ARTICLE 24

During hours to be fixed by the President the Registrar shall receive any documents and reply to any enquiries, subject to the provisions of Article 38 of the present Rules and to the observance of professional secrecy.

ARTICLE 25

The Registrar shall be the channel for all communications to and from the Court.

The Registrar shall ensure that the date of despatch and receipt of all communications and notifications may readily be verified. Communications and notifications sent by post shall be registered. Communications addressed to the official representatives or to the agents of the parties shall be considered as having been addressed to the parties themselves. The date of receipt shall be noted on all documents received by the Registrar, and a receipt bearing this date and the number under which the document has been registered shall be given to the sender, if a request to that effect be made.

ARTICLE 26

The Registrar shall be responsible for the archives, the accounts and all administrative work. He shall have the custody of the seals and stamps of the Court. He shall himself be present at all meetings of the full Court and either he, or a person appointed to represent him with the approval of the Court, shall be present at all sittings of the various Chambers; he shall be responsible for drawing up the minutes of the meetings.

He shall further undertake all duties which may be laid upon him by the present Rules.

The duties of the Registry shall be set forth in detail in a list of instructions to be submitted by the Registrar to the President for his approval.

HEADING 2.—WORKING OF THE COURT

ARTICLE 27

In the year following a new election of the whole Court the ordinary annual session shall commence on the fifteenth of January.

If the day fixed for the opening of a session is regarded as a holiday at the place where the Court is sitting, the session shall be opened on the working day following.

ARTICLE 28

The list of cases shall be prepared and kept up to date by the Registrar under the responsibility of the President. The list for each session shall contain all questions submitted to the Court for an advisory opinion and all cases in regard to which the written proceedings are concluded, in the order in which the documents submitting each question or case have been received by the Registrar. If in the course of a session, a question is submitted to the Court or the written proceedings in regard to any case are concluded, the Court shall decide whether such question or case shall be added to the list for that session.

• • • The Registrar shall prepare and keep up to date extracts from the above list showing the cases to be dealt with by the respective Chambers.

The Registrar shall also prepare and keep a list of cases for revision.

ARTICLE 29

During the sessions the dates and hours of sittings shall be fixed by the President.

ARTICLE 30

If at any sitting of the full Court it is impossible to obtain the prescribed quorum, the Court shall adjourn until the quorum is obtained.

ARTICLE 31

The Court shall sit in private to deliberate upon the decision of any case or on the reply to any question submitted to it.

During the deliberation referred to in the preceding paragraph, only persons authorized to take part in the deliberation and the Registrar shall be present. No other person shall be admitted except by virtue of a special decision taken by the Court, having regard to exceptional circumstances.

Every member of the Court who is present at the deliberation shall state his opinion together with the reasons on which it is based.

The decision of the Court shall be based upon the conclusions adopted after final discussion by a majority of the members.

Any member of the Court may request that a question which is to be voted upon shall be drawn up in precise terms in both the official languages and distributed to the Court. A request to this effect shall be complied with.

CHAPTER II. PROCEDURE

HEADING 1.—CONTENTIOUS PROCEDURE

SECTION A. GENERAL PROVISIONS

ARTICLE 32

The rules contained under this heading shall in no way preclude the adoption by the Court of such other rules as may be jointly proposed by the parties concerned, due regard being paid to the particular circumstances of each case.

ARTICLE 33

The Court shall fix time limits in each case by assigning a definite date for the completion of the various acts of procedure, having regard as far as possible to any agreement between the parties.

The Court may extend time limits which it has fixed. It may likewise decide in certain circumstances that any proceeding taken after the expiration of a time limit shall be considered as valid.

If the Court is not sitting the powers conferred upon it by this article shall be exercised by the President, subject to any subsequent decision of the Court.

ARTICLE 34

All documents of the written proceedings submitted to the Court shall be accompanied by not less than thirty printed copies certified correct. The President may order additional copies to be supplied.

SECTION B. PROCEDURE BEFORE THE COURT AND BEFORE THE SPECIAL CHAMBERS (ARTICLES 26 AND 27 OF THE STATUTE)

I. Institution of Proceedings

ARTICLE 35

When a case is brought before the Court by means of a special agreement, the latter, or the document notifying the Court of the agreement, shall mention the addresses selected at the seat of the Court to which notices and communications intended for the respective parties are to be sent.

In all other cases in which the Court has jurisdiction, the application shall include, in addition to an indication of the subject of the dispute and the names of the parties concerned, a succinct statement of facts, an indication of the claim and the address selected at the seat of the Court to which notices and communications are to be sent.

Should proceedings be instituted by means of an application, the first document sent in reply thereto shall mention the address selected at the seat of the Court to which subsequent notices and communications in regard to the case are to be sent.

Should the notice of a special agreement, or the application, contain a

request that the case be referred to one of the special Chambers mentioned in Articles 26 or 27 of the Statute, such request shall be complied with, provided that the parties are in agreement.

Similarly, a request to the effect that technical assessors be attached to the Court, in accordance with Article 27 of the Statute, or that the case be referred to the Chamber for summary procedure shall also be granted; compliance with the latter request is, however, subject to the condition that the case does not refer to any of the questions indicated in Articles 26 and 27 of the Statute.

ARTICLE 36

The Registrar shall forthwith communicate to all members of the Court special agreements or applications which have been notified to him.

II. Written Proceedings

ARTICLE 37

Should the parties agree that the proceedings shall be conducted in French or in English, the documents constituting the written procedure shall be submitted only in the language adopted by the parties.

In the absence of an agreement with regard to the language to be employed, documents shall be submitted in French or in English.

Should the use of a language other than French or English be authorized, a translation into French or into English shall be attached to the original of each document submitted.

The Registrar shall not be bound to make translations of documents submitted in accordance with the above rules.

In the case of voluminous documents the Court, or the President if the Court is not sitting, may, at the request of the party concerned, sanction the submission of translations of portions of documents only.

ARTICLE 38

The Court, or the President, if the Court is not sitting, may, after hearing the parties, order the Registrar to hold the cases and counter-cases of each suit at the disposal of the Government of any State which is entitled to appear before the Court.

ARTICLE 39

In cases in which proceedings have been instituted by means of a special agreement, the following documents may be presented in the order stated below, provided that no agreement to the contrary has been concluded between the parties:

- a case, submitted by each party within the same limit of time;
- a counter-case, submitted by each party within the same limit of time;
- a reply, submitted by each party within the same limit of time.

When proceedings are instituted by means of an application, failing any agreement to the contrary between the parties, the documents shall be presented in the order stated below:

- the case by the applicant;
- the counter-case by the respondent;
- the reply by the applicant;
- the rejoinder by the respondent.

ARTICLE 40

Cases shall contain:

1. a statement of the facts on which the claim is based;
2. a statement of law;
3. a statement of conclusions;
4. a list of the documents in support; these documents shall be attached to the case.

Counter-cases shall contain:

1. the affirmation or contestation of the facts stated in the case;
2. a statement of additional facts, if any;
3. a statement of law;
4. conclusions based on the facts stated; these conclusions may include counter-claims, in so far as the latter come within the jurisdiction of the Court;
5. a list of the documents in support; these documents shall be attached to the counter-case.

ARTICLE 41

Upon the termination of the written proceedings the President shall fix a date for the commencement of the oral proceedings.

ARTICLE 42

The Registrar shall forward to each of the members of the Court, a copy of all documents in the case as he receives them.

III. Oral Proceedings

ARTICLE 43

In the case of a public sitting, the Registrar shall publish in the press all necessary information as to the date and hour fixed.

ARTICLE 44

The Registrar shall arrange for the interpretation from French into English and from English into French of all statements, questions and answers which the Court may direct to be so interpreted.

Whenever a language other than French or English is employed, either

under the terms of the third paragraph of Article 39 of the Statute or in a particular instance, the necessary arrangements for translation into one of the two official languages shall be made by the party concerned. In the case of witnesses or experts who appear at the instance of the Court, these arrangements shall be made by the Registrar.

ARTICLE 45

The Court shall determine in each case whether the representatives of the parties shall address the Court before or after the production of the evidence; the parties shall, however, retain the right to comment on the evidence given.

ARTICLE 46

The order in which the agents, advocates or counsel, shall be called upon to speak shall be determined by the Court, failing an agreement between the parties on the subject.

ARTICLE 47

In sufficient time before the opening of the oral proceedings, each party shall inform the Court and the other parties of all evidence which it intends to produce, together with the names, Christian names, description and residence of witnesses whom it desires to be heard.

It shall further give a general indication of the point or points to which the evidence is to refer.

ARTICLE 48

The Court may, subject to the provisions of Article 44 of the Statute, invite the parties to call witnesses, or may call for the production of any other evidence on points of fact in regard to which the parties are not in agreement.

ARTICLE 49

The Court, or the President should the Court not be sitting, shall, at the request of one of the parties or on its own initiative, take the necessary steps for the examination of witnesses out of Court.

ARTICLE 50

Each witness shall make the following solemn declaration before giving his evidence in Court:

"I solemnly declare upon my honor and conscience that I will speak the truth, the whole truth and nothing but the truth."

ARTICLE 51

Witnesses shall be examined by the representatives of the parties under the control of the President. Questions may be put to them by the President and afterwards by the judges.

ARTICLE 52

The indemnities of witnesses who appear at the instance of the Court shall be paid out of the funds of the Court.

ARTICLE 53

Any report or record of an enquiry carried out at the request of the Court, under the terms of Article 50 of the Statute, and reports furnished to the Court by experts, in accordance with the same article, shall be forthwith communicated to the parties.

ARTICLE 54

A record shall be made of the evidence taken. The portion containing the evidence of each witness shall be read over to him and approved by him.

As regards the remainder of the oral proceedings, the Court shall decide in each case whether verbatim records of all or certain portions of them shall be prepared for its own use.

ARTICLE 55

The minutes mentioned in Article 47 of the Statute shall in particular include:

1. the names of the judges;
2. the names of the agents, advocates and counsel;
3. the names, Christian names, description and residence of witnesses heard;
4. a specification of other evidence produced;
5. any declarations made by the parties;
6. all decisions taken by the Court during the hearing.

ARTICLE 56

Before the oral proceedings are concluded each party may present his bill of costs.

IV. Interim Protection

ARTICLE 57

When the Court is not sitting, any measures for the preservation in the meantime of the respective rights of the parties shall be indicated by the President.

Any refusal by the parties to conform to the suggestions of the Court or of the President, with regard to such measures, shall be placed on record.

V. Intervention

ARTICLE 58

An application for permission to intervene, under the terms of Article 62 of the Statute, must be communicated to the Registrar at latest before the commencement of the oral proceedings.

Nevertheless the Court may, in exceptional circumstances, consider an application submitted at a later stage.

ARTICLE 59

The application referred to in the preceding article shall contain:

1. a specification of the case in which the applicant desires to intervene;
2. a statement of law and of fact justifying intervention;
3. a list of the documents in support of the application; these documents shall be attached.

Such application shall be immediately communicated to the parties, who shall send to the Registrar any observations which they may desire to make within a period to be fixed by the Court, or by the President, should the Court not be sitting.

ARTICLE 60

Any State desiring to intervene, under the terms of Article 63 of the Statute, shall inform the Registrar in writing at latest before the commencement of the oral proceedings.

The Court, or the President if the Court is not sitting, shall take the necessary steps to enable the intervening State to inspect the documents in the case, in so far as they relate to the interpretation of the convention in question, and to submit its observations thereon to the Court.

VI. Agreement

ARTICLE 61

If the parties conclude an agreement regarding the settlement of the dispute and give written notice of such agreement to the Court before the close of the proceedings, the Court shall officially record the conclusion of the agreement.

Should the parties by mutual agreement notify the Court in writing that they intend to break off proceedings, the Court shall officially record the fact and proceedings shall be terminated.

VII. Judgment

ARTICLE 62

The judgment shall contain:

1. the date on which it is pronounced;
2. the names of the judges participating;
3. the names and style of the parties;
4. the names of the agents of the parties;
5. the conclusions of the parties;
6. the matters of fact;
7. the reasons in point of law;
8. the operative provisions of the judgment;
9. the decision, if any, referred to in Article 64 of the Statute.

The opinions of judges who dissent from the judgment, shall be attached thereto should they express a desire to that effect.

ARTICLE 63

After having been read in open Court the text of the judgment shall forthwith be communicated to all parties concerned and to the Secretary-General of the League of Nations.

ARTICLE 64

The judgment shall be regarded as taking affect on the day on which it is read in open Court, in accordance with Article 58 of the Statute.

ARTICLE 65

A collection of the judgments of the Court shall be printed and published under the responsibility of the Registrar.

VIII. *Revision*

ARTICLE 66

Application for revision shall be made in the same form as the application mentioned in Article 40 of the Statute.

It shall contain:

1. the reference to the judgment impeached;
2. the fact on which the application is based;
3. a list of the documents in support; these documents shall be attached.

It shall be the duty of the Registrar to give immediate notice of an application for revision to the other parties concerned. The latter may submit observations within a time limit to be fixed by the Court, or by the President should the Court not be sitting.

If the judgment impeached was pronounced by the full Court, the application for revision shall also be dealt with by the full Court. If the judgment impeached was pronounced by one of the Chambers mentioned in Articles 26, 27 or 29 of the Statute, the application for revision shall be dealt with by the same Chamber. The provisions of Article 13 of the Statute shall apply in all cases.

If the Court, under the third paragraph of Article 61 of the Statute, makes a special order rendering the admission of the application conditional upon previous compliance with the terms of the judgment impeached, this condition shall be immediately communicated to the applicant by the Registrar, and proceedings in revision shall be stayed pending receipt by the Registrar of proof of previous compliance with the original judgment and until such proof shall have been accepted by the Court.

SECTION C. SUMMARY PROCEDURE

ARTICLE 67

Except as provided under the present section the rules for procedure before the full Court shall apply to summary procedure.

ARTICLE 68

Upon receipt by the Registrar of the document instituting proceedings in a case which, by virtue of an agreement between the parties, is to be dealt with by summary procedure, the President shall convene as soon as possible the Chamber referred to in Article 29 of the Statute.

ARTICLE 69

The proceedings are opened by the presentation of a case by each party. These cases shall be communicated by the Registrar to the members of the Chamber and to the opposing party.

The cases shall contain reference to all evidence which the parties may desire to produce.

Should the Chamber consider that the cases do not furnish adequate information, it may, in the absence of an agreement to the contrary between the parties, institute oral proceedings. It shall fix a date for the commencement of the oral proceedings.

At the hearing, the Chamber shall call upon the parties to supply oral explanations. It may sanction the production of any evidence mentioned in the cases.

If it is desired that witnesses or experts whose names are mentioned in the case should be heard, such witnesses or experts must be available to appear before the Chamber when required.

ARTICLE 70

The judgment is the judgment of the Court rendered in the Chamber of summary procedure. It shall be read at a public sitting of the Chamber.

HEADING 2.—ADVISORY PROCEDURE

ARTICLE 71

Advisory opinions shall be given after deliberation by the full Court.

The opinions of dissenting judges may, at their request, be attached to the opinion of the Court.

ARTICLE 72

Questions upon which the advisory opinion of the Court is asked shall be laid before the Court by means of a written request, signed either by the President of the Assembly or the President of the Council of the League of

Nations, or by the Secretary-General of the League under instructions from the Assembly or the Council.

The request shall contain an exact statement of the question upon which an opinion is required, and shall be accompanied by all documents likely to throw light upon the question.

ARTICLE 73

The Registrar shall forthwith give notice of the request for an advisory opinion to the members of the Court, and to the members of the League of Nations, through the Secretary-General of the League, and to the States mentioned in the Annex to the Covenant.

Notice of such request shall also be given to any international organizations which are likely to be able to furnish information on the question.

ARTICLE 74

Any advisory opinion which may be given by the Court and the request in response to which it was given, shall be printed and published in a special collection for which the Registrar shall be responsible.

HEADING 3.—ERRORS

ARTICLE 75

The Court, or the President if the Court is not sitting, shall be entitled to correct an error in any order, judgment or opinion, arising from a slip or accidental omission.

Done at The Hague, the twenty-fourth day of March, one thousand nine hundred and twenty two.

(S.) LODER,

President.

(S.) A. HAMMARSKJÖLD,

Registrar.

(L. S.)

ANNEXES

I

ANNEX TO ARTICLE 2

List of Judges and Deputy Judges in Order of Precedence

Judges:

M. LODER, *President.*

M. WEISS, *Vice-President.*

LORD FINLAY.

M. BARBOSA.

M. NYHOLM.

MR. MOORE.

M. DE BUSTAMANTE.

M. ALTAMIRA.

M. ODA.

M. ANZILOTTI.

M. HUBER.

Deputy-Judges:

M. YOVANOVITCH.

M. NEGULESCO.

M. BEICHMANN.

M. WANG-CHUNG-HUI.

The judges and deputy-judges are elected for nine years. The period of office of the judges and deputy-judges, whose names appear above, commenced on January 1, 1922.

The President and Vice-President are elected for three years. The period of office of the President and Vice-President, whose names appear above, commenced on January 1, 1922.

II

ANNEX TO ARTICLE 14

Composition of the Chambers

Chamber of Summary Procedure:

Members:

M. LODER, *President*.

M. WEISS.

M. HUBER.

Substitutes:

LORD FINLAY.

M. ANZILOTTI.

The period of appointment of the members of the Chamber for Summary Procedure terminates on December 31, 1922.

Chamber for Labor Cases:

Members:

LORD FINLAY, *President*.

M. ALTAMIRA.

M. DE BUSTAMANTE.

M. ANZILOTTI.

M. HUBER.

Substitutes:

M. NYHOLM.

MR. MOORE.

The period of appointment of the members of the Chamber for Labor Cases terminates on December 31, 1924.

Chamber for Transit and Communication Cases:

Members:

M. WEISS, *President*.

M. NYHOLM.

M. BARBOSA.

MR. MOORE.

M. ODA.

Substitutes:

M. ANZILOTTI.

M. HUBER.

The period of appointment of the members of the Chamber for Transit and Communication Cases terminates on December 31, 1924.

III

ANNEX TO ARTICLE 17

The Registrar of the Court

Registrar:

M. ÅKE HAMMARSKJÖLD.

The Registrar is elected for seven years.

The period of office of the Registrar, whose name appears above commenced on February 1, 1922.

IV

ANNEX TO ARTICLE 24

Interviews with the Registrar

The Registrar may be seen between the hours of 2 p. m. and 4 p. m. on all working days except Saturday, at the Peace Palace at the Hague.

Address of the Court.....	190

The postal address of the Court is:

The Peace Palace,
The Hague.

The telegraphic address is:

"Intercourt the Hague."

Telephone numbers:

3910 (President)
3911 (Registrar)
3912 (Establishment Office)
3913 (General Office)

MESSAGE OF PRESIDENT WILSON TO CONGRESS TRANSMITTING AN AGREEMENT RECOMMENDING THE ACCEPTANCE OF SPECIAL GERMAN REPARATION BONDS IN SATISFACTION OF BELGIAN OBLIGATIONS TO FRANCE, GREAT BRITAIN AND THE UNITED STATES.¹

To the SENATE AND HOUSE OF REPRESENTATIVES:

I herewith call your attention to an agreement with Belgium made by the British and French Premiers and myself, which is embodied in the following letter:

JUNE 16, 1919.

M. HYMANS,

Ministre des Affaires Etrangères, Hotel Lotti, Paris.

SIR: The Reparation Clauses of the draft Treaty of Peace with Germany obligate Germany to make reimbursement of all sums which Belgium has

¹Sen. Doc. No. 413, 66th Cong. 3d sess.

borrowed from the Allied and Associated Governments up to November 11, 1918, on account of the violation by Germany of the Treaty of 1839. As evidence of such an obligation Germany is to make a special issue of bonds to be delivered to the Reparation Commission.

Each of the undersigned will recommend to the appropriate governmental agency of his Government that, upon the delivery to the Reparation Commission of such bonds, his Government accept an amount thereof corresponding to the sums which Belgium has borrowed from his Government since the war and up to November 11, 1918, together with interest at 5 per cent unless already included in such sums, in satisfaction of Belgium's obligation on account of such loans, which obligation of Belgium's shall thereupon be cancelled.

We are, dear Mr. Minister,
Very truly yours,

G. CLEMENCEAU.
WOODROW WILSON.
D. LLOYD GEORGE.

In recommending to you that Congress take appropriate action with regard to this agreement, certain facts should be brought to your attention.

The neutrality of Belgium was guaranteed by the Treaty of London of 1839. In considering the reparation to be made by Germany it was agreed that the action of Germany, in grossly violating this treaty by an attack on Belgium, obligated the German Government under international law to repay to Belgium the costs of war. On this principle the Treaty of Versailles (Art. 232) provided that in accordance with Germany's pledges already given as to the complete restoration for Belgium, Germany should undertake, in addition to the compensation for material damage, to make reimbursement of all sums which Belgium had borrowed from the Allied and Associated Governments up to November 11, 1918, together with interest at 5 per cent per annum on such sums. This obligation was to be discharged by a special issue of bearer bonds to an equivalent amount payable in gold marks on May 1, 1926, or at the option of the German Government on the 1st of May in any year up to 1926.

For various reasons the undertaking defined in the above letter was not embodied in the treaty. Belgium's obligations to the United States for advances made up to the date of the armistice amounted to approximately \$171,000,000, and to England and France they amounted, I am informed, to about £164,700,000. In view of the special circumstances in which Belgium became involved in the war and the attitude of this country toward Belgium, it was felt that the United States might well agree to make the same agreement respecting pre-armistice loans to Belgium as England and France offered to do.

Advances made by the Treasury to the Belgian Government from the beginning of the war to the Armistice amounted to \$171,780,000. This principal sum, however, includes advances of \$499,400 made to enable the Belgians to pay the interest due November 15, 1917, and \$1,571,468.42 to

enable the payment of the interest due May 15, 1918. The interest on the advances has been paid up to April 15, 1919, the interest due from May 15, 1918, to that date having been paid out of Treasury loans for which the United States holds Belgian obligations, which, however, were made after November 11, 1918, the date of the armistice. This latter advance would not come within the terms of the agreement above mentioned. If, therefore, the United States accepts payment of Belgian obligations given before the armistice by receiving a corresponding amount of German obligations, it would seem that it should receive German obligations amounting to \$171,780,000 with interest from April 15, 1919.

Although it is understood that England and France will take their share of the German bonds when received by Belgium, I am informed that the Reparation Commission has not as yet finally determined the details of the issuance of the necessary bonds by the German Government. A recommendation at this time that suitable legislative action should be taken may appear somewhat premature, but in view of the approaching termination of my Administration I have brought this matter to your attention, hoping that suitable action may be taken at the appropriate time.

WOODROW WILSON.

THE WHITE HOUSE, *February 22, 1921.*

PROTOCOL SIGNED ON BEHALF OF GERMANY UPON THE DEPOSIT OF RATIFICATIONS OF THE TREATY OF VERSAILLES ¹

Paris, January 10, 1920

(Translation)

At the moment of proceeding to the first deposit of ratifications of the Treaty of Peace, it is placed on record that the following obligations, which Germany had undertaken to execute by the armistice conventions and supplementary agreements, had not been executed or have not been completely fulfilled:

1. Armistice Convention of the 11th November, 1918,² clause VII; obligation to deliver 5,000 locomotives and 150,000 waggons. Forty-two locomotives and 4,460 waggons are still to be delivered.
2. Armistice Convention of the 11th November, 1918, clause XII; obligation to withdraw the German troops in Russian territory within the frontiers of Germany as soon as the Allies shall think

¹ British Parliamentary Papers, 1921 (Cmd. 1325), p. 6.

² The Armistice Convention of Nov. 11, 1918 was printed in SUPPLEMENT to this JOURNAL for April, 1919 (Vol. 13), p. 97; the conventions prolonging the Armistice, dated Dec. 13, 1918, Jan. 16, 1919, and Feb. 16, 1919, were printed in the SUPPLEMENT for October, 1919, pp. 387, 388 and 392.

- the moment suitable. The withdrawal of these troops has not been effected, despite the reiterated instructions of the 27th August, the 27th September and the 10th October, 1919.
3. Armistice Convention of the 11th November, 1918, clause XIV; obligation to cease at once all requisitions, seizures or coercive measures in Russian territory. The German troops have continued to have recourse to such measures.
 4. Armistice Convention of the 11th November, 1918, clause XIX; obligation to return immediately all documents, specie, stocks, shares, paper money, together with plant for the issue thereof, affecting public or private interests in the invaded countries. The complete lists of specie and securities carried off, collected or confiscated by the Germans in the invaded countries have not been supplied.
 5. Armistice Convention of the 11th November, 1918, clause XXII; obligation to surrender all German submarines. Destruction of the German submarine *U. C. 48* off Ferrol by order of her German commander, and destruction in the North Sea of certain submarines proceeding to England for surrender.
 6. Armistice Convention of the 11th November, 1918, clause XXIII; obligation to maintain in Allied ports the German warships designated by the Allied and Associated Powers, these ships being intended to be ultimately handed over. Clause XXXI; obligation not to destroy any ship before delivery. Destruction of the said ships at Scapa Flow on the 21st June, 1919.
 7. Protocol of the 17th December, 1918, annex to the Armistice Convention of the 13th December, 1918; obligation to restore the works of art and artistic documents carried off in France and Belgium. All the works of art removed into the unoccupied parts of Germany have not been restored.
 8. Armistice Convention of the 16th January, 1919, clause III, and protocol 392/1, additional clause III, of the 25th July, 1919; obligation to hand over agricultural machinery in the place of the supplementary railway material provided for in tables 1 and 2 annexed to the protocol of Spa of the 17th December, 1918. The following machines had not been delivered on the stipulated date of the 1st October, 1919: 40 "Heucke" steam plough outfits; all the cultivators for the outfits; all the spades; 1,500 shovels; 1,130 T. F. 23/26 ploughs; 1,765 T. F. 18/21 ploughs; 1,512 T. F. 23/26 ploughs; 629 T. F. o m. 20 Brabant ploughs; 1,205 T. F. o m. 26 Brabant ploughs; 4,282 harrows of 2 k. 500; 2,157 steel cultivators; 966 2 m. 50 manure distributors; 1,608 3 m. 50 manure distributors.
 9. Armistice Convention of the 16th January, 1919, clause VI; obli-

- gation to restore the industrial material carried off from French and Belgian territory. All this material has not been restored.
10. Convention of the 16th January, 1919, clause VIII; obligation to place the German merchant fleet under the control of the Allied and Associated Powers. A certain number of ships whose delivery had been demanded under this clause have not yet been handed over.
 11. Protocols of the Conferences of Brussels of the 13th and 14th March, 1919; obligation not to export war material of all kinds. Exportation of aeronautical material to Sweden, Holland and Denmark.

A certain number of the above provisions which have not been executed or have not been executed in full have been renewed by the treaty of the 28th June, 1919, whose coming into force will *ipso facto* render the sanctions there provided applicable. This applies particularly to the various measures to be taken on account of reparation.

Further, the question of the evacuation of the Baltic provinces has been the subject of an exchange of notes and of decisions which are being carried out. The Allied and Associated Powers expressly confirming the contents of their notes, Germany by the present protocol undertakes to continue to execute them faithfully and strictly.

Finally, as the Allied and Associated Powers could not allow to pass without penalty the other failures to execute the armistice conventions and violations so serious as the destruction of the German fleet at Scapa Flow, the destruction of *U. C. 48* off Ferrol and the destruction in the North Sea of certain submarines on their way to England for surrender, Germany undertakes—

1.—A. To hand over as reparation for the destruction of the German fleet at Scapa Flow:—

- (a) Within sixty days from the date of the signature of the present protocol and in the conditions laid down in the second paragraph of Article 185 of the Treaty of Peace the five following light cruisers: *Königsberg*, *Pillau*, *Graudenz*, *Regensburg*, *Strassburg*.
- (b) Within ninety days from the date of the signature of the present protocol, and in good condition and ready for service in every respect, such a number of floating docks, floating cranes, tugs and dredgers, equivalent to a total displacement of 400,000 tons, as the Principal Allied and Associated Powers may require. As regards the docks, the lifting power will be considered as the displacement. In the number of docks referred to above there will be about 75 per cent. of docks over 10,000 tons. The whole of this material will be handed over on the spot.

B. To deliver within ten days from the signature of the present protocol a complete list of all floating docks, floating cranes, tugs and dredgers which are German property. This list, which will be delivered to the Naval Inter-Allied Commission of Control referred to in Article 209 of the Treaty of Peace, will specify the material which on the 11th November, 1918, belonged to the German Government or in which the German Government had at that date an important interest.

C. The officers and men who formed the crews of the warships sunk at Scapa Flow and who are at present detained by the Principal Allied and Associated Powers will, with the exception of those whose surrender is provided for by Article 228 of the Treaty of Peace, be repatriated at latest when Germany has carried out the provisions of paragraphs A and B above.

D. The destroyer *B. 98* will be considered as one of the forty-two destroyers whose delivery is provided for by Article 185 of the Treaty of Peace.

2. To hand over within ten days from the signature of the present protocol the engines and motors of the submarines *U. 137* and *U. 138* as compensation for the destruction of *U. C. 48*.

3. To pay to the Allied and Associated Governments before the 31st January, 1920, the value of the aeronautical material exported, in accordance with the decision which will be given and the valuation which will be made and notified by the Aeronautical Inter-Allied Commission of Control referred to in Article 210 of the Treaty of Peace.

In the event of Germany not fulfilling these obligations within the periods laid down above, the Allied and Associated Powers reserve the right to take all military or other measures of coercion which they may consider appropriate.

Done at Paris, the 10th day of January, 1920, at 4 p.m.

V. SIMSON,
FREIHERR VON LERSNER.

ALLIED NOTE TO PRESIDENT OF GERMAN DELEGATION RESPECTING WAR
CRIMINALS ¹

Paris, May 7, 1920

(Translation)

Sir,

When transmitting to the German Government the appended list,² drawn up in order to put into execution the decisions taken by the Supreme Allied Council in London, the Allied Powers consider it necessary, while confirming the reply made to the German observations relating to the surrender of guilty persons, to add the following communication, which is intended to determine the exact state of the question.

¹ British Parliamentary Papers, 1921 (Cmd. 1325), p. 110.

² Omitted.

In the reply made by the Supreme Allied Council to the observations submitted by the German Government, the Allied Powers, while expressly reserving the right to make use of the rights given them by the treaty in any way which they shall consider suitable, noted in the first place that Germany stated her inability to execute the obligations imposed upon her by the treaty which she has signed.

They also noted the statement made by the German Government that it is prepared at once to institute penal proceedings before the Supreme Court at Leipzig, secured by most complete guarantees and distinct from the application of all previous judgments, proceedings or decisions by German civil and military tribunals, against all Germans whose surrender the Allied Powers intend to demand.

After noting that this offer made by the German Government was compatible with the execution of Article 228 of the Treaty of Peace, which formally provides for this possibility, the Allied Powers, faithful to the letter and spirit of the said treaty, decided that, without interfering in the proceedings, prosecution and sentence, so as to leave the German Government fully and entirely responsible, they would leave it to the latter to prosecute and pronounce sentence; the Allies would then see by the result of these prosecutions whether the German Government is sincerely resolved to render good and faithful justice.

Should it be proved that the real object of the procedure proposed by Germany is to screen guilty persons from the just punishment of their crimes, the Allied Powers have in that case most expressly reserved their right to lay the matter before their courts.

The work of the Inter-Allied Mixed Commission, which has been instructed to collect, publish and communicate to Germany details of the accusations made against each of the responsible persons is consequently based on these decisions.

In its turn, it has decided to compile a preliminary list, to include a very restricted number of accused persons, whose names, however, appear in the lists previously compiled and which have been handed over to Germany.

This list, which includes forty-five names, has been compiled with the greatest care by the Allies, whose representatives on the mixed commission unanimously adopted the method which has just been explained.

The Allied Powers point out to the German Government that, owing to the urgent need for the settlement of this question and the execution of the obligations recorded in the Treaty of Peace signed by Germany, no fresh delay should occur and the German Government should take every care to ensure the speedy progress of the preliminary proceedings, in order to pronounce judgment on the accused persons as soon as possible.

The German Government must give the most formal assurances with every guarantee, both from the point of view of the personal safety of the witnesses and the consideration due to them should they enter Germany in

order to give evidence, and from the point of view of the absolute freedom which they must enjoy now and in the future as regards their statements of any kind whatsoever; but it is understood that no witness from one of the Allied Powers can be forced to give evidence before the court at Leipzig.

The Allied Powers declare their readiness to execute commissions to examine witnesses which might be entrusted to them by the German judicial authorities in order to collect statements by witnesses in their place of residence, as is the usual procedure in normal relations between states.

Should the witnesses who are their nationals proceed to Germany in order to give evidence, the Allied Powers reserve the right to have one or more delegates to be appointed by them present at the hearing of the former, as they also reserve the right to have delegates of the Allied Powers present at the discussions of the court at Leipzig.

Finally, the Allied Powers formally renew their express reservations concerning the exercise of their right in its entirety as defined in Articles 228 and 229 of the Treaty of Versailles, should they consider, from the result of the proceedings and sentences about to be instituted in Germany, that the only result of the offer made by the German Government is to attempt to screen guilty persons from the just and necessary punishment of crimes proved against them.

I remain, etc.

MILLERAND.

AGREEMENT BETWEEN THE ALLIES FOR THE SETTLEMENT OF CERTAIN QUESTIONS AS TO THE APPLICATION OF THE TREATIES OF PEACE AND COMPLEMENTARY AGREEMENTS WITH GERMANY, AUSTRIA, HUNGARY, AND BULGARIA ¹

Signed at Spa, July 16, 1920

The Governments of Belgium, France, Great Britain, Italy, Japan and Portugal respectively represented by the undersigned, recognizing that it is in the general interest to effect an immediate settlement between themselves of certain problems arising from the application of the treaties of peace and the complementary agreements, have agreed upon the following:—

PART I

ARTICLE 1

In pursuance of Article 237 of the Treaty of Versailles, sums received from Germany under the head of reparation shall be divided in the following proportions:

	Per cent.
British Empire.....	22
France.....	52
Italy.....	10

¹ British Parliamentary Papers, 1922, (Cmd. 1615).

	Per Cent.
Japan.....	.75
Belgium.....	8
Portugal.....	.75

6.5 per cent. shall be reserved for Greece, Roumania, the Serb-Croat-Slovene State, and for the other Powers entitled to reparation which are not signatories of this agreement.

ARTICLE 2

The aggregate amount received under the head of reparation from Austria, Bulgaria and Hungary, together with the sums received from Italy, the Czecho-Slovak State, Roumania and the Serb-Croat-Slovene State under the agreements made on September 10 and December 8, 1919,² shall be divided as follows: —

- (a) One-half shall be divided between the Allied Governments mentioned in Article 1 in the proportion fixed by the said article.
- (b) Of the other half, Italy shall receive 40 per cent., and 60 per cent. is reserved for Greece, Roumania, the Serb-Croat-Slovene State, and for other Powers entitled to reparation which are not signatories of this agreement.

PART II

ARTICLE 3

The Allied Governments recognize that it is in the general interest to determine the total amount due by Germany under Articles 231 and 232 of the Treaty of Versailles, and to make provision for the method of payment on the basis of an agreement embodying:

- (1) The fixing of annuities to be paid by Germany;
- (2) The faculty for her to free herself at an earlier date by discounting some or all of these annuities;
- (3) The issue by Germany of loans destined for the internal requirements of the country and the prompt discharge of its debt to the Allied Powers.

The Allied Governments declare their readiness to take among themselves such measures as they may deem appropriate to facilitate an agreement of this kind.

PART III

ARTICLE 4

- (1) For each of the Allied Powers the Reparation Commission will draw up, as on May 1, 1921, a statement in the following form: —

² Printed in SUPPLEMENT to this JOURNAL, October, 1920 (Vol. 14), pp. 344-354.

May 1, 1921

Creditor

Debtor

- | | |
|---|--|
| <p>(a) Cost to May 1, 1921, of armies of occupation.</p> <p>(b) Sums advanced to Belgium before November 11, 1918, with interest to May 1, 1921.</p> <p>(c) Present value of share in reparation.</p> | <p>(d) Receipts on account of armies of occupation.</p> <p>(e) Value of deliveries in kind up to May 1, 1921, excluding restitutions under Article 238 under the Treaty of Versailles.</p> <p>(f) Receipts to be credited to Germany under Article 243 of the said treaty excluding final balances under Sections III and IV of Part X (Economic Clauses), and sums applied in accordance with Article 5 (a) of this agreement below towards the satisfaction of the Belgian priority.</p> |
|---|--|

*If the payments to be made by Germany consist of annuities, or periodical payments which can be discounted, the credit for the present value of the share in reparation referred to in (c) above for each Power shall be fixed by discounting at 5 per cent. the share attributed to that Power in the annuities or periodical payments unless the said share has been, as an exception, fixed at a capital sum.

Where the receipts to be credited under (f) have not been definitely ascertained when the statement is drawn up, the Reparation Commission will estimate the receipts to be credited. The commission will make such subsequent adjustments in the accounts as may be necessary when the amount is definitely ascertained.

(2) If the above statement shows that a Power has received under (d), (e) and (f) more than the aggregate totals of (a), (b) and (c), the Reparation Commission will notify the amount of the excess to the Power in question, and it shall be paid to the Reparation Commission by that Power within three months from the date of the notification.

(3) In all cases, even where the repayment provided for above has been made, any excess of the sums debited under (d), (e) and (f) over the sums credited under (a) shall be retained for the following purposes:

- (a) In the case of Belgium, the excess shall be regarded as a payment on account of her priority of 2½ milliards of gold francs.
- (b) In the case of each of the Allied Powers other than Belgium, it shall be treated as an advance repayable in the manner indicated below, and bearing interest of 5 per cent., which shall be placed to the credit of the special interest account referred to in paragraph 4.

The amounts so treated as an advance shall constitute contingent reserves for the purpose of enabling the Reparation Commission to meet, during the ensuing five years, the service of the whole or part of the German loans referred to in Article 3 (3) in the event of default by Germany.

For this purpose, the amount for each Power shall be divided into five equal parts, one of which shall be attributable to each of the five years. If, in any year, the part attributable to that year is not required for the service of the German loans, it shall be applied for the following purposes in the order named:

- (i) In discharge of sums then due by Germany to that Power in respect of the cost of the army of occupation.
- (ii) In satisfaction of sums, either capital or interest, due by Belgium to the Power in question for moneys advanced before November 11, 1918.
- (iii) Towards the annuities, if any, due by Germany to the Power concerned.
- (iv) As regards Italy and Japan, towards the payment by anticipation of future instalments of the annuities due to those Powers (beginning with the earlier instalments) at such rates of discount not being less than 5 per cent. (five) as may from time to time be agreed between those Powers and the Reparation Commission.

Any balance not required for the above purpose shall be paid to the Reparation Commission for division among the Powers in the proportions laid down in Article 1.

(4) A special interest account shall be drawn up for each Power, and in it shall be included after May 1, 1921, the interest on the advances referred to in paragraph 3. The credit balance on the account shall be divided among the Powers, other than Belgium, in proportion to the percentages laid down in Article 1.

ARTICLE 5

In consideration of the sacrifice made in the general interest by all the Powers which are creditors of Germany in order to ensure the success of the loans referred to in Article 3, and with a view to avoiding all difficulty in inter-allied financial adjustments, Belgium consents, and it is hereby agreed, that the sum of 2½ milliards of gold francs, to which she is entitled in priority under the agreement of June 16, 1919,³ should be ensured as follows:

Belgium retains, as laid down in Article 4 of this agreement, the excess of the deliveries in kind and the transfer of German rights and interests received before May 1, 1921. The remainder of the 2½ milliards of gold francs shall, after payment of the costs of the armies of occupation which

³ See message of President Wilson to Congress, transmitting agreement with Belgium of June 16, 1919, *supra*, p. 190.

have not been paid as provided in Article 4, and until the priority granted to her is satisfied, be paid:

(a) Up till May 1, 1921, out of any cash payments received by the Reparation Commission under Article 243, and, in particular, from sums received under the following heads:

- (1) Reimbursements to be effected under the conditions specified in Article 4 by any Allied Power which has received deliveries in kind or transfers of German rights or interests referred to in Article 243 of the Treaty of Versailles, to a value in excess of her credits with Germany on account of the cost, if any, of her armies of occupation, of her reparation for damage, and of the sums, if any, to be reimbursed to her in respect of advances to Belgium up to November 11, 1918.
- (2) Receipts in respect of final balances in favor of Germany from the clearing houses provided for in Article 296 of the Treaty of Versailles and of the proceeds of the liquidation of German property, rights and interests seized by the Allied Powers in their respective territories, and paid to the Reparation Commission in conformity with the provisions of Article 297, paragraph (h) of the said treaty.
- (3) Any payments under Article 254 of the Treaty of Versailles in respect of the assumption of part of the debt of the German Empire, or of a German State, by Denmark (Schleswig), Czecho-Slovakia, or the Free City of Danzig.
- (4) The value under Article 256 of the Treaty of Versailles of the assets and properties of the German Empire and States in the territories transferred by Germany received from Denmark (Schleswig), Czecho-Slovakia and the Free City of Danzig.
- (5) The acquisition under Article 260 of the Treaty of Versailles of the value of German rights or interests in public utility undertakings or concessions in the countries and territories referred to in that article.
- (6) The sale of arms, munitions, war material and machinery which is to be destroyed in accordance with Article 169 of the Treaty of Versailles.
- (7) Sale to Luxemburg of German coal delivered in execution of paragraph 5 of Annex V of Part VIII (Reparation) of the Treaty of Versailles.
- (8) Distribution or sale by the Reparation Commission of dyestuffs and chemical drugs delivered by Germany under the conditions laid down in Annex VI of Part VIII (Reparation) of the Treaty of Versailles.

- (b) After May 1, 1921, subject to the payment in priority of the cost of the armies of occupation, the value of all deliveries or payments made by Germany, and any other receipts of the Reparation Commission available for distribution.
- (c) To the extent specified below, the proceeds of the first German loan, and contingently, the proceeds of the following loans, Belgium recognizes that, in order to ensure the success of the loans it is proper to interest the largest number of Germany's creditors in their success, and not to reserve to one Power practically the whole proceeds. After deducting that part of the proceeds of these loans which is reserved for Germany, Belgium will receive, if necessary, up to 50 per cent. of the proceeds.
- (d) If the payment of the amounts due by Germany for reparation is provided for in the form of annuities, sums paid to Belgium by reason of her right of priority will be deducted from her share of the annuities, or from her share of the proceeds of the annuities if all or any of them are discounted. This deduction must be so arranged as to ensure that Belgium's share in the present value of the receipts from Germany shall coincide with the percentage allotted to her in Article 1 of this agreement.

ARTICLE 6

(1) Germany, by Annex III of Part VIII (Reparation) of the Treaty of Versailles, and Austria and Hungary, by the corresponding provisions of the Treaty of St. Germain and the Treaty of Trianon, having recognized the right of the Allied and Associated Powers to the replacement, ton for ton and class for class, of all merchant ships and fishing boats lost or damaged owing to the war, and in view of the great difficulty of fixing a fair value for the ships surrendered except after the actual sale of the greater portion of such ships, it is agreed as follows:

The sale of the ships allotted to the British Empire shall be made before May 1, 1921, by the Reparation Commission on the British market and shall be made to British nationals.

The amount to be credited to the ex-enemy Powers and debited to the British Empire in respect of merchant vessels and fishing craft allotted to it, or subsequently transferred to it under inter-Allied agreements, shall, subject to adjustments rendered necessary by repairs or the expenses of delivery be the actual price realized by such sales.

In the case of other Powers, the amount to be debited in respect of merchant vessels and fishing craft allotted to them, or subsequently transferred to them under inter-Allied agreements, shall be the average amounts, subject to similar adjustments, realized by the sale of similar ships of each class on the British market.

The value so ascertained shall be debited to the Allied Power and credited

to the ex-enemy Power concerned as on the following dates. In the case of Germany, on January 10, 1920, or the date of the delivery of the vessel whichever may be later; in the case of Austria and Hungary on the respective dates of the coming into force of the treaties of peace with those countries.

Interest at 5 per cent. per annum from the above dates up till the date of sale or up to May 1, 1921, if the ships are not sold before that date shall be debited to the British Empire in respect of ships allotted or transferred to it and shall be credited to the special interest account referred to in Article 4.

In the case of each of the other Powers a lump sum shall be debited in respect of interest and credited to the said special account. This sum shall bear the same proportion to the total amount debited to the British Empire in respect of interest as the value of the total amount of tonnage allotted or transferred to that Power bears to the value of the total amount of tonnage allotted or transferred to the British Empire.

(2) No charge shall be debited to any Allied Power to which ships have been allotted for the use of such ships after the coming into force of the several treaties of peace.

(3) In the case of ships transferred, the hire of such ships, until transferred, shall be paid over to the transferring Power by the Power to which ships are transferred. Such payments shall be effected by deducting the amount of the hire, plus interest at 5 per cent. per annum from the date of the transfer of the ships, from the first percentage payment, other than payments in kind or services rendered, received either from Germany, Austria, or Hungary, whichever may be the earliest, by the Power to which the ship is transferred, and adding it to the first percentage payment received by the transferring Power.

(4) After the final allotment of tonnage by the Reparation Commission, there shall be transferred to Belgium out of the shares of the other Powers sharing in the distribution of tonnage, such an amount of tonnage as will make up her ton for ton allotment to a total equivalent to the tonnage of the vessels condemned after the armistice in the Belgian Prize Court. Such tonnage shall be of approximately the same age, type and value as the condemned ships. The contribution of each of the transferring Powers shall be in proportion to their approved claims for the ton for ton allotment of ex-enemy tonnage.

The value of the vessels allotted to Belgium, and also of those transferred to her as above, will be debited to the transferring Powers in the same proportions as they contribute the transferred ships.

The condemnation of the above vessels in the Belgian Prize Court not being recognized by the Allied Powers, Belgium, while maintaining the validity of these decisions, agrees, in consideration of the tonnage transferred to her under this paragraph (4), not to claim any interest in these vessels by reason of their condemnation.

ARTICLE 7

No sum shall be credited to Germany for the light cruisers, floating docks or the material handed over, or to be handed over, under the protocol of January 10, 1920, as compensation for the warships which were sunk.

As regards sunk German ships which have been, or may be, salvaged, a Power to which they have been, or may be, allotted, will be chargeable with the cost of the salvage incurred by the Power which has borne them.

ARTICLE 8

No sum shall be credited to Germany in respect of the proceeds of the sale of warships and naval war material surrendered under the Naval Clauses of the Treaty of Versailles, including the value of the arisings from naval war material which may have been, or may be, sold by the Reparation Commission at the request of the Supreme Council. These sums shall be divided between the Allied Powers in the same proportions as were approved by the Supreme Council for the material surrendered under the protocol of January 10, 1920.

ARTICLE 9

Italy shall, in priority to all other Allied Powers, be entitled to retain and set off against the amounts due to her by Austria, Bulgaria and Hungary in respect of the armies of occupation and reparation a sum equal to the amount for which she may be adjudged by the Reparation Commission to be liable to account to the Reparation Commission in respect of the value of property transferred and services rendered up to May 1, 1921, under Article 189 and Annexes III, IV, and V to Part VIII (Reparation) of the Treaty of St. Germain, and of the corresponding provisions of the Treaty of the Trianon and also of the sum provided for in the agreement relating to Italy with respect to the reparation contribution signed at St. Germain on September 10, 1919, as modified at Paris on December 8, 1919. Italy will in consequence only be obliged to issue the bonds referred to in Article 4 of the said agreement if and so far as her debt is not covered by the set off provided for above.

ARTICLE 10

The provisions of the present agreement do not apply to Poland. The right of Poland to reparation for damage suffered by her, as an integral part of the former Empire of Russia, is reserved in accordance with Article 116 of the Treaty of Versailles and Article 87 of the Treaty of St. Germain.

The sums to be credited to Germany and Austria under Articles 92 and 243 of the Treaty of Versailles, and Article 189 of the Treaty of St. Germain, shall be entered provisionally in suspense accounts carrying interest at 5 per cent. per annum.

ARTICLE 11

The stipulations of the present agreement shall not affect the operation of the provisions of Article 232, paragraph 3, of the Treaty of Versailles.

The amount of the sums borrowed by Belgium up till November 11, 1919, including interest at 5 per cent. per annum up till the date of payment, shall rank immediately after the payment of $2\frac{1}{2}$ milliards of gold francs referred to in Article 5 and be distributed as equally as possible over the sums paid each year by Germany before May 1, 1926.

Sums paid in advance by Germany shall not be applied for the purpose of discounting this part of her yearly payments.

ARTICLE 12

Nothing in this agreement shall prejudice the right of the Allied Powers to repayment of the relief credits afforded by them to the ex-enemy Powers.

ARTICLE 13

The question of the reduction of the cost of the armies of occupation to a uniform basis for all the Allied and Associated Powers is reserved in order that it may be discussed with the United States of America.

BELGIUM	(Signed) LEON DELACROIX.
FRANCE	(Signed) A. MILLERAND.
GREAT BRITAIN	(Signed) D. LLOYD GEORGE.
ITALY	(Signed) C. SFORZA
JAPAN	(Signed) S. CHINDA.
PORTUGAL	(Signed) ALFONSO COSTIA.

Spa, July 16th, 1920.

Le Secrétaire-General de la Conférence de Spa.

(Signed) ROLIN JAEQUEMYS.

PROTOCOL OF SPA CONFERENCE RESPECTING COAL ¹

July 16, 1920

(Translation)

The German Government undertake to place at the disposal of the Allies, from the 1st August, 1920, for the ensuing six months, 2,000,000 tons of coal per month, this figure having been approved by the Reparation Commission.

2. The Allied Governments will credit the reparation accounts with the value of this coal, as far as it is delivered by rail or inland navigation, and it will be valued at the German internal price in accordance with paragraph 6 (A), Annex V, Part VIII of the Treaty of Versailles. In addition, in consideration of the admission of the right of the Allies to have coal of specified kind and quality delivered to them, a premium of 5 gold marks, payable in cash by the party taking delivery shall be applied to acquisition of food-stuffs for the German miners.

¹ British Parliamentary Publications, Miscellaneous, 1921, No. 15. (Cmd. 1325), p. 175.

3. During the period of the coal deliveries provided for above, the stipulations of paragraphs 2, 3 and 4 of the draft control protocol of the 11th July, 1920, shall be put in force at once in the modified form of the annex hereto (see below).

4. An agreement shall be made forthwith between the Allies for distribution of the Upper Silesian coal output by a commission, on which Germany will be represented. This agreement shall be submitted for the approval of the Reparation Commission.

5. A commission, on which the Germans shall be represented, shall meet forthwith at Essen. Its purpose shall be to seek means by which the conditions of life among the miners with regard to food and clothing can be improved, with a view to the better working of the mines.

6. The Allied Governments declare their readiness to make advances to Germany equal in amount to the difference between the price paid under paragraph 2 above and the export price of German coal, f. o. b. in German ports, or the English export price f. o. b. in English ports, whichever may be the lowest, as laid down in paragraph VI (B) of Annex V, Part VIII of the Treaty of Versailles. These advances shall be made in accordance with Articles 235 and 251 of the Treaty of Versailles. They shall enjoy an absolute priority over all other Allied claims on Germany. The advances shall be made at the end of each month, in accordance with the number of tons delivered and the average f. o. b. price of coal during the period. Advances on account shall be made by the Allies at the end of the first month without waiting for exact figures.

7. If, by the 15th of November, 1920, it is ascertained that the total deliveries for August, September and October, 1920, have not reached 6,000,000 tons, the Allies will proceed to the occupation of a further portion of German territory, either the region of the Ruhr or some other.

LÉON DELACROIX.
HYMANS.
D. LLOYD GEORGE.
A. MILLERAND.
C. SFORZA.
S. CHINDA.
C. FEHRENBACH SIMONS,
Under reserve of Article 7.

ROLIN-JAEQUEMYS,
Secretary-General of the Conference.
Spa, July 16, 1920.

(5318)

ANNEX
(Translation)

1. A permanent delegation of the Reparation Commission will be set up at Berlin, whose mission will be to satisfy itself by the following means that

the deliveries of coal to the Allies provided for under the agreement of the 15th July, 1920, shall be carried out:

The programmes for the general distribution of output, with details of origin and kind, on the one hand, and the orders given to ensure deliveries to the Allied Powers on the other hand, shall be drawn up by the responsible German authorities and submitted by them for the approval of the said delegation a reasonable time before their dispatch to the executive bodies responsible for their execution.

2. No modification in the said programme which may involve a reduction in the amount of the deliveries to the Allies shall be put into effect without prior approval of the delegation of the Reparation Commission in Berlin.

3. The Reparation Commission, to which the German Government must periodically report the execution by the competent bodies of the orders for deliveries to the Allies, will notify to the interested Powers any infraction of the principle adopted herein.

AGREEMENT BETWEEN THE ALLIED POWERS FOR THE SETTLEMENT OF CERTAIN QUESTIONS RELATING TO THE EXECUTION OF THE TREATY OF VERSAILLES¹

Paris, Jan. 29, 1921

ARTICLE 1

For the purpose of satisfying the obligations imposed upon her by Articles 231 and 232 of the Treaty of Versailles, Germany shall, irrespective of the restitution she is to make under Article 238 and of any other obligation under the treaty, pay:

1. Fixed annuities, payable half-yearly in equal parts, as follows: (a) Two annuities of 2,000,000,000 gold marks from May 1, 1921, to May 1, 1923; (b) three annuities of 3,000,000,000 gold marks from May 1, 1923, to May 1, 1926; (c) three annuities of 4,000,000,000 gold marks from May 1, 1926, to May 1, 1929; (d) three annuities of 5,000,000,000 gold marks from May 1, 1929, to May 1, 1932; (e) thirty-one annuities of 6,000,000,000 gold marks from May 1, 1932, to May 1, 1963.

2. Forty-two annuities running from May 1, 1921, equal in amount to 12 per cent. ad valorem of German exports, payable in gold two months after the close of each half year.

In order to insure complete fulfillment of paragraph 2 above, Germany will give to the Reparation Commission every facility for verifying the amount of the German exports and for the establishment of the supervision necessary for this purpose.

¹ French text printed in *Le Temps*, February 1, 1921, p. 1. English translation taken substantially from the *New York Times*, January 31, 1921, p. 1.

ARTICLE 2

The German Government will transmit forthwith to the Reparation Commission notes to bearer payable at the dates specified in Article 1, paragraph 1, of the present arrangement. The amount of these notes shall be equivalent to each of the half-yearly sums payable under said paragraph.

Instructions shall be given to the Reparation Commission with a view to facilitating realization by the Powers which so demand the share to be attributed to them in accordance with the agreements in force between them.

ARTICLE 3.

Germany shall be at liberty at any time to make payments in advance on account of the fixed portion of the sum owing.

Advance payments shall be applied in the reduction of the fixed annuities provided for in the first paragraph of Article 1. For this purpose, annuities shall be discounted at the rate of 8 per cent. until May 1, 1923; 6 per cent. from May 1, 1923, to May 1, 1925; 5 per cent. from May 1, 1925.

ARTICLE 4

Germany shall not directly embark on any credit operation outside her own territory without the approval of the Reparation Commission. This provision applies to the Government of the German Empire, to the governments of German States, to the German provincial and municipal authorities, and to any companies or undertakings under control of said governments or authorities.

ARTICLE 5

In pursuance of Article 248 of the Treaty of Versailles, all the assets and revenues of the Empire and of the German States shall be applicable to insure complete execution by Germany of the provisions of the present arrangement.

The proceeds of the German maritime and land customs, including in particular the proceeds of all import and export duties and of any tax subsidiary thereto, shall constitute special security for the execution of the present agreement.

No modification which might diminish the proceeds of the customs shall be made in the German customs laws or regulations without approval of the Reparation Commission. All German customs receipts shall be encashed on behalf of the German Government by a receiver general of German customs, appointed by the German Government with the approval of the Reparation Commission.

In case Germany shall make default in any payment provided for in the present arrangement—

(1) All or part of the proceeds of the German customs in the hands of the receiver general of German customs may be attached by the Reparation

Commission and applied in meeting the obligations in respect of which Germany has defaulted. In such case the Reparation Commission may, if it thinks necessary, itself undertake the administration and receipt of the customs duties.

(2) The Reparation Commission also may demand that the German Government proceed to such increases of duties or take such steps for the purpose of increasing its resources as the commission may think necessary.

(3) If this demand is without effect, the commission shall declare the German Government in a state of delinquency and shall signify this situation to the Governments of the Allied and Associated Powers, who shall take such measures as they shall deem justifiable.

Done at Paris the 29th of January, 1921.

HENRI JASPAR,
D. LLOYD GEORGE,
ARISTIDE BRIAND,
C. SFORZA,
K. ISHII.

ALLIED ULTIMATUM TO GERMANY

*London, March 3, 1921*¹

Mr. Lloyd George, speaking on behalf of the Allies, to Dr. Simons, the German Foreign Minister

We have therefore decided—having regard to the infractions already committed, to the determination indicated in these proposals that Germany means still further to defy and explain away the treaty, and to the challenge issued not merely in these proposals but in official statements made in Germany by the German Government—that we must act upon the assumption that the German Government are not merely in default, but deliberately in default; and unless we hear by Monday that Germany is either prepared to accept the Paris decisions² or to submit proposals which will in other ways be an equally satisfactory discharge of her obligations under the Treaty of Versailles (subject to the concessions made in the Paris proposals), we shall, as from that date, take the following course under the Treaty of Versailles.

The Allies are agreed:

(1) To occupy the towns of Duisburg, Ruhrort, and Düsseldorf, on the right bank of the Rhine.

(2) To obtain powers from their respective Parliaments requiring their nationals to pay a certain proportion of all payments due to Germany on German goods to their several governments, such proportion to be retained on account of reparations.

That is in respect of goods purchased either in this country or in any other Allied country from Germany.

¹ The London *Times*, March 4, 1921, p. 6.

² *Supra*, p. 207.

(3) (a) The amount of the duties collected by the German customs houses on the external frontiers of the occupied territories to be paid to the Reparation Commission.

(b) These duties to be continued to be levied in accordance with the German tariff.

(c) A line of customs houses to be temporarily established on the Rhine and at the boundary of the *têtes des ponts* occupied by the Allied troops; the tariff to be levied on this line, both on the entry and export of goods, to be determined by the Allied High Commission of the Rhine territory in conformity with the instructions of the Allied Governments.

GERMAN REPARATION (RECOVERY) ACT, 1921¹

An Act to provide for the application of part of the purchase price of imported German goods towards the discharge of the obligations of Germany under the Treaty of Versailles

(24th March 1921)

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. (1) Subject to the provisions of this Act, after the thirty-first day of March, nineteen hundred and twenty-one, on the importation into the United Kingdom of any German goods to which this Act applies, the importer shall pay to the Commissioners of Customs and Excise (hereinafter referred to as the Commissioners) such proportion of the value of the goods, not exceeding fifty per cent., as the Treasury may from time to time prescribe:²

Provided that this Act shall not apply to goods imported before the fifteenth day of April, nineteen hundred and twenty-one, if it is proved to the satisfaction of the Commissioners that the goods are imported in pursuance of a contract entered into before the eighth day of March, nineteen hundred and twenty-one.

(2) The payment of any sum to the Commissioners under this section shall, up to the amount of the payment, operate as a good discharge to the person by or on whose behalf the payment is made as against the person to whom the purchase price of the goods in question is due; and the receipt of the Commissioners shall be conclusive evidence of such payment.

(3) The Commissioners shall pay all moneys received by them under

¹ Public General Acts, 11 & 12 Geo. V, Chap. 5.

² A Treasury Minute, dated March 24, 1921, fixed the proportion of the value of German goods to which this Act applies, at 50%. A second Treasury Minute, dated May 17, 1921, reduced the proportion to 26%, effective May 13, 1921.—Ed.

this section into such special account as the Treasury may direct to be applied in such manner as the Treasury may direct towards the discharge of the obligations undertaken by Germany under Parts VIII and IX of the Treaty of Versailles.

2. The German goods to which this Act applies are goods first consigned from Germany to the United Kingdom, and goods not so consigned being goods wholly or partially manufactured or produced in Germany, unless, in the case of goods partially manufactured or produced in Germany, twenty-five per cent. or more of the value of the goods is attributable to processes of manufacture undergone since the goods last left Germany:

Provided that, subject to compliance with such conditions as to security for re-exportation of the goods as the Commissioners may impose, this Act shall not apply to goods imported for exportation after transit through the United Kingdom, or by way of transshipment.

3. (1) The value of any imported goods shall for the purposes of this Act be taken to be the amount which an importer would give for the goods, including the sum payable to the Commissioners under this Act, if the goods were delivered to him at the place of importation, freight and insurance being payable by him, and for the purpose of ascertaining the amount to be paid under this Act to the Commissioners that value shall be fixed by them:

Provided that, in the case of goods proved to the satisfaction of the Commissioners to be goods brought back into the United Kingdom after having been exported therefrom for the purpose of undergoing any process in Germany, the value of the goods for the purposes of this Act shall be taken to be such value as aforesaid after deducting therefrom such amount as is proved to the satisfaction of the Commissioners to have been the value of the goods at the time of exportation, together with freight and insurance outwards, and the sum contracted to be paid for the execution of the process shall be deemed to be the purchase price.

(2) Without prejudice to the powers of the Commissioners under the foregoing subsection, the sum stated in an invoice of goods imported on sale to be the price of the goods shall, if it includes the sum payable to the Commissioners under this Act, be *prima facie* evidence of the value of the goods for the purposes of this Act.

(3) If in ascertaining the amount to be paid under this Act any dispute arises as to the value of the goods, such question shall be referred to a referee appointed by the Treasury, who shall not be an official of any Government department, and the decision of the referee with respect to the matter in dispute shall be final and conclusive.

(4) Sections thirty and thirty-one of the Customs Consolidation Act, 1876, as set out and modified in the Schedule to this Act shall apply to disputes as to the sum payable to the Commissioners under this Act.

(5) It shall be lawful for the Commissioners in the case of any goods to require the importer to furnish particulars in the prescribed manner as to the

country from which the goods were first consigned or as to the country of manufacture or production of the goods, and if the particulars are not furnished to the satisfaction of the Commissioners the goods shall for the purposes of this Act be deemed to be goods first consigned from Germany, or, as the case may be, wholly manufactured or produced in Germany.

(6) Where it is proved to the satisfaction of the Commissioners that, by reason of any payment or advance made, consideration given, or obligation undertaken, before the eighth day of March, nineteen hundred and twenty-one, the sum payable to the Commissioners under the foregoing provisions of this Act exceeds the amount remaining due from the importer in respect of the goods imported, the sum payable to the Commissioners shall be reduced by the amount of such excess, and if any dispute arises as to the amount of such reduction the matter shall be referred to such referee as aforesaid.

4. (1) Where any person is under a contract entered into before the eighth day of March, nineteen hundred and twenty-one, liable to accept bills of exchange or make advances in connection with the importation of any goods, he may apply to the High Court, and the court, if satisfied, that by reason of the provisions of this Act the enforcement of the contract according to its terms would result in serious hardship to him, may, after considering all the circumstances of the case and the position of all the parties to the contract and any offer which may have been made by any party for a variation of the contract, suspend or annul, or with the consent of the parties amend, as from such date as the court may think fit, or stay any proceedings for the enforcement of, the contract or any term thereof or any rights arising thereunder, on such conditions (if any) as the court may think fit.

(2) The Lord Chancellor may make such rules and give such directions as he thinks fit with respect to the procedure on applications under this section, and such rules may provide as to the notice to be given to other parties to the contract and the manner of giving such notice.

(3) In the application of this section to Scotland, references to "the High Court" and to "the Lord Chancellor" shall be construed as references to the "Court of Session," and references to "rules" shall be construed as references to "act of sederunt."

5. (1) The Board of Trade may by order—

- (a) reduce as respects articles of any class, make, or description the proportion of the value of the goods payable to the Commissioners under this Act, or exempt articles of any class, make, or description from the provisions of this Act;
- (b) vary as respects articles of any class, make, or description the percentage referred to in section two of this Act;
- (c) substitute as respects articles of any class, make, or description some later date for the fifteenth day of April mentioned in section one of this Act;
- (d) extend the classes of contract to which section four of this Act relates:

Provided that the Board of Trade shall not make any such order except on the recommendation of a committee constituted as hereinafter provided.

(2) For the purposes aforesaid, the Board of Trade shall appoint one or more committees consisting mainly of persons of financial, commercial or industrial experience.

(3) Any order made by the Board of Trade under this Act shall be published in the London, Edinburgh, and Dublin Gazettes and in such other manner as the Board may consider best adapted for informing persons affected thereby.

(4) Anything authorized to be done by the Board of Trade under this Act may be done by the President, or a secretary, or assistant secretary, of the Board, or any person authorized in that behalf by the President.

6. If a resolution is passed by both Houses of Parliament for the repeal or suspension of this Act, it shall be lawful for His Majesty in Council by Order to repeal or suspend the operation of this Act to such extent, and, in the case of suspension, for such period, definite or indefinite, as may be specified in the resolution.

7. (1) This Act may be cited as the German Reparation (Recovery) Act, 1921.

(2) This Act shall be construed together with the Customs (Consolidation) Act, 1876, and any enactments amending that Act.

SCHEDULE

Customs Consolidation Act, 1876, Sections 30 and 31, as Modified

30. If any dispute arises as to the proper amount payable in respect of any goods the importer or consignee or his agent shall deposit in the hands of the collector of customs at the port of entry the amount demanded by such collector, which shall be deemed and taken as the proper sum payable under this Act unless an application is made for a reference to a referee appointed by the Treasury within three months after such deposit to ascertain what sum is payable in respect of such goods, and on payment of such deposit and on the passing of a proper entry for such goods by the importer, consignee, or agent, the collector shall allow the delivery thereof.

31. In case no such application for a reference is made, such deposit shall be applied in the same manner as if it had originally been paid and received as a payment due under this Act in respect of such goods, and in the case of such application if it shall be determined that the sum so deposited was not the proper sum, but that a less sum was payable, the difference between the deposit and the sum found to be due shall be returned to such importer with interest at the rate of five per cent. per annum for the period during which the sum so paid or returned was deposited, and shall be accepted by such depositor in satisfaction of all claims in respect of the importation of such goods and of all or any damages or expenses incident thereto.

THE REPARATIONS COMMISSION TO THE GERMAN WAR DEBT COMMISSION¹*Paris, April 28, 1921*

The Reparation Commission, in execution of the provisions of Article 235 of the Treaty of Versailles, has unanimously decided to fix at 132 billion gold marks the amount of damages for which reparation is due by Germany under the terms of Article 232, second paragraph, and Annex I of Part VIII of the said treaty.

In arriving at this figure the commission has deducted from the amount of damages the sums necessary to cover the reparations already made or to be made in execution of Article 238, and, in consequence, no credit will be due to Germany by the fact of these reparations.

The commission has not included in the above figure, either the sum corresponding to the obligation which further rests upon Germany in virtue of the 3d paragraph of Article 232 to "make reimbursement of all sums which Belgium has borrowed from the Allied and Associated Governments up to November 11, 1918, together with interest at the rate of five per cent (5%) per annum on such sums," or any amount which Poland may eventually claim or any payment which she may receive by virtue of the fact that she formed an integral part of the former Russian Empire, as provided for in Article 116 of the Treaty of Versailles.

(Signed) DUBOIS,
JOHN BRADBURY,
SALVAGO RAGGI,
L. DELACROIX.

ALLIED ULTIMATUM TO GERMANY²*London, May 5, 1921*

The Allied Powers, taking note of the fact that, in spite of the successive concessions made by the Allies since the signature of the Treaty of Versailles, and in spite of the warnings and sanctions agreed upon at Spa and at Paris, as well as of the sanctions announced in London and since applied,³ the German Government is still in default in the fulfilment of the obligations incumbent upon it under the terms of the Treaty of Versailles as regards (1) disarmament; (2) the payment due on May 1, 1921, under Article 235 of the Treaty, which the Reparation Commission has already called upon it to make at this date; (3) the trial of the war criminals as further provided for by the Allied notes of February 13 and May 7, 1920; and (4) certain other important respects; notably those which arise under Articles 264 to 267, 269, 273, 321, 322, and 327 of the treaty, decide:

¹ Translated from *Le Temps*, April 30, 1921.

² The *London Times*, May 6, 1921, p. 9.

³ See Allied Ultimatum, March 3, 1921, *supra*, p. 209.

(a) To proceed forthwith with such preliminary measures as may be required for the occupation of the Ruhr Valley by the Allied forces on the Rhine in the contingency provided for in paragraph (d) of this note:

(b) In accordance with Article 233 of the treaty to invite the Reparation Commission to prescribe to the German Government without delay the time and manner for securing and discharging the entire obligation incumbent upon that government, and to announce their decision on this point to the German Government at latest on May 6:

(c) To call upon the German Government categorically to declare within a period of six days from the receipt of the above decision its resolve (1) to carry out without reserve or condition their obligations as defined by the Reparation Commission, (2) to accept without reserve or condition the guarantees in respect of those obligations prescribed by the Reparation Commission, (3) to carry out without reserve or delay the measures of military, naval, and aerial disarmament notified to the German Government by the Allied Powers in their note of January 29, 1921, those overdue being completed at once, and the remainder by the prescribed dates, (4) to carry out without reserve or delay the trial of the war criminals and the other unfulfilled portions of the treaty referred to in the first paragraph of this note.

(d) Failing fulfilment by the German Government of the above conditions by May 12, to proceed to the occupation of the valley of the Ruhr and to take all other military and naval measures that may be required. Such occupation will continue so long as Germany fails to comply with the conditions summarized in paragraph (c).

(Signed) HENRI JASPAR.
A. BRIAND.
D. LLOYD GEORGE.
C. SFORZA.
HAYASHI.

SCHEDULE OF PAYMENTS PRESCRIBING THE TIME AND MANNER FOR SECURING
AND DISCHARGING THE ENTIRE OBLIGATION OF GERMANY FOR REPARA-
TION UNDER ARTICLES 231, 232, AND 233 OF THE TREATY OF VERSAILLES.¹

London, May 5, 1921

The Reparation Commission has, in accordance with Article 233 of the Treaty of Versailles, fixed the time and manner for securing and discharging the entire obligation of Germany for reparation under Articles 231, 232, and 233 of the treaty as follows:

This determination is without prejudice to the duty of Germany to make restitution under Article 238, or to other obligations under the treaty.

¹ The London Times, May 6, 1921, p. 9.

1. Germany will perform in the manner laid down in this schedule her obligations to pay the total fixed in accordance with Articles 231, 232, and 233 of the Treaty of Versailles by the commission—viz., 132 milliards of gold marks less (a) the amount already paid on account of reparation; (b) sums which may from time to time be credited to Germany in respect of State properties in ceded territory, &c; and (c) any sums received from other enemy or ex-enemy Powers in respect of which the commission may decide that credits should be given to Germany, *plus* the amount of the Belgian debt to the Allies, the amounts of these deductions and additions to be determined later by the commission.

2. Germany shall create and deliver to the commission in substitution for bonds already delivered or deliverable under paragraph 12 (c) of Annex 2 of Part VIII (Reparation) of the Treaty of Versailles the bonds hereafter described.

(A) Bonds for an amount of 12 milliards gold marks. These bonds shall be created and delivered at latest on July 1, 1921. There shall be an annual payment from funds to be provided by Germany as prescribed in this agreement, in each year from May 1, 1921, equal in amount to 6 per cent. of the nominal value of the issued bonds, out of which there shall be paid interest at 5 per cent. per annum, payable half yearly on the bonds outstanding at any time, and the balance to sinking fund for the redemption of the bonds by annual drawings at par. These bonds are hereinafter referred to as bonds of Series (A).

(B) Bonds for a further amount of 38 milliards gold marks. These bonds shall be created and delivered at the latest on November 1, 1921. There shall be an annual payment from funds to be provided by Germany as prescribed in this agreement in each year from November 1, 1921, equal in amount to 6 per cent. of the nominal value of the issued bonds, out of which there shall be paid interest at 5 per cent. per annum, payable half-yearly on the bonds outstanding at any time and the balance to sinking fund for the redemption of the bonds by annual drawings at par. These bonds are hereinafter referred to as bonds of Series (B).

(C) Bonds for 82 milliards of gold marks, subject to such subsequent adjustment by creation or cancellation of bonds as may be required under paragraph (1). These bonds shall be created and delivered to the Reparation Commission, without coupons attached, at latest on November 1, 1921; they shall be issued by the commission as and when it is satisfied that the payments which Germany undertakes to make in pursuance of this agreement are sufficient to provide for the payment of interest and sinking fund on such bonds. There shall be an annual payment from funds to be provided by Germany as prescribed in this agreement in each year from the date of issue by the Reparation Commission equal in amount to 6 per cent. of the nominal value of the issued bonds, out of which shall be paid interest at 5 per cent. per annum, payable half-yearly on the bonds outstanding at

any time, and the balance to sinking fund for the redemption of the bonds by annual drawings at par. The German Government shall supply to the commission coupons for such bonds as and when issued by the commission. These bonds are hereinafter referred to as bonds of Series (C).

3. The bonds provided for in Article 2 shall be signed German Government bearer bonds, in such form and in such denominations as the Reparation Commission shall prescribe for the purpose of making them marketable, and shall be free of all German taxes and charges of every description present or future.

Subject to the provisions of Articles 248 and 251 of the Treaty of Versailles these bonds shall be secured on the whole of the assets and revenues of the German Empire and the German States, and in particular on the specific assets and revenues specified in Article 7 of the agreement. The service of the bonds of Series (A), (B) and (C) shall be a first, second and third charge respectively on the said assets and revenues and shall be met by the payments to be made by Germany under this schedule.

4. Germany shall pay in each year until the redemption of the bonds provided for in Article 2 by means of the sinking funds attached thereto:—

- (1) A sum of two milliard gold marks.
- (2) (a) A sum equivalent to 25 per cent. of the value of her exports in each period of 12 months starting from May 1, 1921, as determined by the commission, or
- (b) alternatively an equivalent amount as fixed in accordance with any other index proposed by Germany and accepted by the commission.
- (3) A further sum equivalent to one per cent. of the value of her exports as above defined or alternatively an equivalent amount fixed as provided in (b) above.

Provided always that when Germany shall have discharged all her obligations under this schedule, other than her liability in respect of outstanding bonds, the amount to be paid in each year under this paragraph shall be reduced to the amount required in that year to meet the interest and sinking fund on the bonds then outstanding.

Subject to the provisions of Article 5, the payments to be made in respect of paragraph (1) above shall be made quarterly before the end of each quarter, *i.e.*, before January 15, April 15, July 15, and October 15 each year, and the payments in respect of paragraphs (2) and (3) above shall be made quarterly, November 15, February 15, May 15, August 15, and calculated on the basis of the exports in the last quarter but one preceding that quarter, the first payment to be made November 15, 1921.

5. Germany will pay within 25 days from this notification one milliard gold marks in gold or approved foreign bills or in drafts at three months on the German Treasury, endorsed by approved German banks and payable in London, Paris, New York, or any other place designated by the Reparation Commission. These payments will be treated as the first two

quarterly instalments of the payments provided for in compliance with Article 4 (1).

6. The commission will within 25 days from this notification, in accordance with paragraph 12 (d), Annex II, of the treaty as amended, establish the special subcommission, to be called the Committee of Guarantees. The Committee of Guarantees will consist of representatives of the Allied Powers now represented on the Reparation Commission, including a representative of the United States of America, in the event of that government desiring to make the appointment.

The committee shall co-opt not more than three representatives of nationals of other Powers whenever it shall appear to the commission that a sufficient portion of the bonds to be issued under this agreement is held by nationals of such Powers to justify their representation on the Committee of Guarantees.

7. The Committee of Guarantees is charged with the duty of securing the application of Articles 241 and 248 of the Treaty of Versailles.

It shall supervise the application to the service of the bonds provided for in Article 2 of the funds assigned as security for the payments to be made by Germany under paragraph 4. The funds to be so assigned shall be:

(a) The proceeds of all German maritime and land customs and duties, and in particular the proceeds of all import and export duties:

(b) The proceeds of the levy of 25 per cent. on the value of all exports from Germany, except those exports upon which a levy of not less than 25 per cent. is applied under the legislation referred to in Article 9:

(c) The proceeds of such direct or indirect taxes or any other funds as may be proposed by the German Government and accepted by the Committee of Guarantees in addition to or in substitution for the funds specified in (a) or (b) above.

The assigned funds shall be paid to accounts to be opened in the name of the committee and supervised by it, in gold or in foreign currency approved by the committee. The equivalent of the 25 per cent. levy referred to in paragraph (b) shall be paid in German currency by the German Government to the exporter.

The German Government shall notify to the Committee of Guarantees any proposed action which may tend to diminish the proceeds of any of the assigned funds, and shall, if the committee demand it, substitute some other approved funds.

The Committee of Guarantees shall be charged further with the duty of conducting on behalf of the commission the examination provided for in paragraph 12 (b) of Annex 2 to Part VIII of the Treaty of Versailles, and of verifying on behalf of the said commission, and if necessary of correcting, the amount declared by the German Government as the value of German exports for the purpose of the calculation of the sum payable in each year under Article 4 (2) and the amounts of the funds assigned under this

article to the service of the bonds. The committee shall be entitled to take such measures as it may deem necessary for the proper discharge of its duties.

The Committee of Guarantees is not authorized to interfere in German administration.

8. Germany shall on demand, subject to the prior approval of the commission, provide such material and labor as any of the Allied Powers may require towards the restoration of the devastated areas of that Power, or to enable any Allied Power to proceed with the restoration or development of its industrial or economic life. The value of such material and labor shall be determined by a valuer appointed by Germany and a valuer appointed by the Power concerned, and, in default of agreement, by a referee nominated by the commission. This provision as to valuation does not apply to deliveries under Annexes III, IV, V, and VI, to Part VIII of the treaty.

9. Germany shall take every necessary measure of legislative and administrative action to facilitate the operation of the German Reparation (Recovery) Act, 1921, in force in the United Kingdom,² and of any similar legislation enacted by any Allied Power, so long as such legislation remains in force. Payments effected by the operation of such legislation shall be credited to Germany on account of the payment to be made by her under Article 4 (2). The equivalent in German currency shall be paid by the German Government to the exporter.

10. Payment for all services rendered, all deliveries in kind, and all receipts under Article 9 shall be made to the Reparation Commission by the Allied Power receiving the same in cash or current coupons within one month of the receipt thereof, and shall be credited to Germany on account of the payments to be made by her under Article 4.

11. The sum payable under Article 4 (3) and the surplus receipts by the Commission under Article 4 (1) and (2) in each year, not required for the payment of interest and sinking fund on bonds outstanding in that year, shall be accumulated and applied so far as they will extend, at such times as the commission may think fit, by the commission in paying simple interest not exceeding $2\frac{1}{2}$ per cent. per annum from May 1, 1921, to May 1, 1926, and thereafter at a rate not exceeding 5 per cent. on the balance of the debt not covered by the bonds then issued. No interest thereon shall be payable otherwise.

12. The present schedule does not modify the provisions securing the execution of the Treaty of Versailles, which are applicable to the stipulations of the present schedule.

² Printed herein, page 210.

AGREEMENT BETWEEN THE FRENCH AND GERMAN GOVERNMENTS CONCERNING
THE APPLICATION OF PART VIII OF THE TREATY OF VERSAILLES REGARD-
ING DELIVERIES IN KIND ¹

Wiesbaden, Oct. 6, 1921

PROTOCOL

With a view to facilitating the reconstruction of the devastated regions the French and German Governments have agreed to approve and carry out the provisions of the enclosed memorandum and of its annex.

It is understood that in the event of any discrepancy between the French and German texts of the protocol, the memorandum and its annex, the French text will be authentic.

In witness whereof, the undersigned, duly authorized by their respective governments, have signed the present protocol and initialled the above-mentioned memorandum and its annex.

Given in two copies at Wiesbaden,

This sixth day of October, one thousand nine hundred and twenty-one.

(Signed) LOUCHEUR.

(Signed) RATHENAU.

MEMORANDUM

6th October 1921

The German Government has expressed its earnest desire to participate in the reconstruction of the devastated regions by delivering the greatest possible amount of plant and materials.

The French Government took note of this offer, but replied that the law of 17th April 1919, relating to the reparation of war damages, did not allow it to impose upon the French "*sinistrés*" any definite utilization of their funds, and that in consequence the present memorandum could in no way supersede this law.

The following has therefore been agreed:

I

There shall be formed in Germany an *organisme de droit privé* for the delivery of plant and materials that may be required by the French *sinistrés* grouped in a manner to be determined later by the French Government.

The enclosed annex fixes the rules which shall be followed by these organizations in regard to the fixing of prices and the methods of settling for such goods.

II

The German Government declares that if, contrary to the argument that it advanced before the Committee of Guarantees, the Reparation Commis-

¹ British Parliamentary Papers, 1921, (Cmd. 1547.)

sion should decide that the deliveries made in execution of the obligations under Part VIII of the Treaty of Versailles are to be included in the exports referred to in Articles 4 and 7 of the schedule of payments, it will be unable to execute the provisions of the present memorandum and its annex unless the provisions of Articles 6 and 7 of the schedule of payments are applied to the deliveries referred to in the present memorandum with the following modifications:

The levy of 26 per cent. mentioned in Article 4 and that of 25 per cent. mentioned in Article 7 shall be made in the course of any year whatsoever during the period of the application of the present memorandum and its annex, on that part only of the value of the deliveries credited to Germany and debited to France during the same year.

The balance of the levy shall be paid by Germany each year as from 1st May 1926, at the rate of 26 per cent. and 25 per cent. respectively on the sums credited to her during the said year in connection with these deliveries.

In other words, the deliveries effected in application of the provisions of the present memorandum shall only be included each year in the total German exports, for the execution of Articles 4 and 7 of the schedule of payments, *pari passu* with their payment.

As this question is exclusively within the competence of the Reparation Commission and the Committee of Guarantees, it shall be submitted to them by the German Government. The French Government will support the German request before these two organizations.

III

The French Government will submit to the approval of the Reparation Commission any other provisions of the present memorandum and of its annex that may concern the Commission.

IV

The deliveries prescribed in Annexes III, V and VI to Part VIII of the Treaty of Versailles will be continued in accordance with the procedure laid down in the treaty.

The French Government declares that, in so far as it is concerned, it is prepared to accept the application of the procedure laid down in the present memorandum and annex, by analogy with the provisions of Article 8 of the schedule of payments, in so far as it will ensure the satisfactory delivery of plant and materials required in the reconstruction of the devastated regions and subject to the definite orders placed under Annex IV prior to the signing of the present document; these orders shall continue to be executed in conformity with the procedure of Annex IV.

The French Government however reserves the right to revert wholly or partially to this procedure, if it think fit, by giving notice one year in advance; also, by giving notice to the French Government one year in advance, not

before 1st May 1923, the German Government may denounce the arrangements concluded by virtue of the present memorandum, with a view to reverting to the procedure of Annex IV and Article 8 of the schedule of payments.

If, on the initiative of either government, the procedure of Annex IV and Article 8 of the schedule of payments be reverted to, the German Government waives the right to claim any prescription whatsoever, in so far as the execution of Annex IV is concerned, in regard to the time limits on account of the periods that have run during the application of the present memorandum.

The provisions of Article 8 of the schedule of payments which do not concern the restoration of the devastated regions are not affected by the present memorandum and its Annex.

V

The French and German Governments agree to take the measures necessary to exempt the organizations whose creation is provided for in paragraph 1 of the present memorandum from stamp duties, registration fees and similar taxes that might be due in connection with the deeds which they will have to draw up between them in execution of the enclosed annex.

VI

The French Government undertakes to adopt the necessary measures to ensure that the deliveries of plant and materials made in application of the present memorandum and its annex are applied only to the reconstitution of the devastated regions.

VII

The application if necessary of paragraph 18 of Annex II to Part VIII of the Treaty of Versailles, shall not constitute an obstacle to the crediting of Germany, in the form prescribed in Article VI of the annex to the present memorandum, of the sums due from F. to A.

In the same way, the stocks of goods which the private organization mentioned in Article 1 may have accumulated in France with a view to possible deliveries, and the funds which this organization may have constituted in France in view of the execution of the provisions of the annex to the present memorandum cannot be seized by virtue of the said paragraph 18.

Annex to Memorandum

Agreement between F,² of the one part, and A of the second part
It has been agreed as follows:

² F represents the French *sinistrés* in general and A the German company referred to in paragraph 1 of the memorandum.

ARTICLE I

A undertakes to deliver to F at the request of the latter all plant and materials compatible with the productive capacity of Germany, her supply of raw materials and her domestic requirements, in so far as essential to the maintenance of her social and economic life, such deliveries to begin with the signing of the protocol to which the present contract is annexed.

The present contract shall not, however, include the products prescribed in Annexes III, V, and VI to Part VIII of the Treaty of Versailles.

The aggregate value of the deliveries to be made by Germany to France in execution of Annexes III, V and VI, and of the deliveries to be made by A to F in execution of the present contract, shall not exceed seven milliard gold marks during the period 1st October 1921 to 1st May 1926.

ARTICLE II

Upon the signing of the present contract a commission shall be created consisting of three members, one French and one German, to be nominated at the request of F and A by their respective governments, and a third member to be selected by common agreement between the two governments, whose mandate shall be limited to one year. Failing an agreement in regard to the choice of this third member, he shall be nominated by the President of the Swiss Confederation for the time being. The commission may secure the services, in a consultative capacity, of such experts as it may deem necessary.

The cost of this commission and of its services shall be paid by A but debited to F to the extent of 50 per cent.

The commission shall arbitrate all disputes that may arise between the two parties in connection with reasonable capacity of A to satisfy the requirements of F, special account being taken of the provisions of Article I.

It shall settle all questions of prices in accordance with the conditions laid down by Article IV and V of the present contract.

It shall settle all differences between F and A, particularly in regard to transportation, delivery, reception, etc., and, in a general way, to the interpretation of the present contract.

The decisions of the commission shall be final.

ARTICLE III

All goods shall be of good and marketable quality, in accordance with the specifications upon which the orders are based, these orders being placed under the conditions and subject to the reservations laid down in Articles I and II.

In the absence of any special agreements, transportation shall be effected by the method of transport and in conformity with the itinerary that would normally be adopted as being the most advantageous by the consignor if he were bearing the cost of transport for the entire journey.

Conditions of transport, delivery, reception, etc., shall be in accordance with commercial custom.

ARTICLE IV

The prices for stock, material and goods manufactured in bulk shall be determined by the arbitral commission in accordance with the following principles. They shall not be applied to the orders placed by F with A, except in cases where no direct agreement has been concluded between the two parties:

For each category and quality of goods, the commission shall first of all fix the gold mark equivalent of the French pre-war price (first quarter of 1914) at the rate of 1.235 francs per 1 gold mark.

It shall then determine, at the beginning of each calendar quarter and for that quarter, a coefficient applicable to the said category and quality of goods, and which may vary from one category and quality of goods to another. This coefficient shall be such that when applied to the price in gold marks defined in the preceding paragraph, and when the result is converted into francs, the resulting figure is equal to the price normally current at the beginning of the quarter on the French home market for goods of a similar category and quality, minus:

- (a) Customs duties;
- (b) Cost of transport.

In the latter calculation the conversion into francs shall be based on the average of the official rates of exchange of the gold dollar quoted on the Paris Bourse during the fifteen days preceding the beginning of the quarter.

The customs duties to be deducted shall be determined by multiplying by the above coefficient the duty levied in France on 1st July 1914 on German goods of the categories and qualities in question. The amount deducted shall, however, not exceed the duty levied at the beginning of the quarter on the German goods in question.

The lump-sum cost of transportation to be deducted shall be determined on the basis of the scales normally in force on the railways at the beginning of the quarter and for the distance between Aix-la-Chapelle and Saint-Quentin.

The gold mark prices obtained by the application of the above coefficients to the 1914 gold mark prices refer to prices at the German-Belgian or Franco-German frontier stations, or in port in the north of France as far as and including the ports of the estuary of the Seine.

These prices shall be valid for all orders placed during the quarter for which they have been determined.

They shall be revised in due time every quarter and in such a way as not to delay the placing of orders.

The first schedule of prices shall as far as possible be prepared before 1st October 1921, in order that it may be applied to orders for the last quarter 1921: it may be completed retroactively if necessary.

In case the prices fixed as above are more than 5 per cent. lower than the prices current in Germany for the same goods, A shall have the right not to carry out the delivery requested. Nevertheless, in cases which may be laid before it by F, the commission referred to in Article II shall decide whether the goods requested cannot actually be obtained in Germany except at prices more than 5 per cent. higher than those which have been fixed in the conditions laid down in the present article. It is further prescribed that the value of the deliveries the price of which is thus lower than the prices current in Germany, shall not exceed 5 per cent. of the deliveries made during the year in question.

• ARTICLE V

The prices of special material such as machinery or industrial plant shall be determined by direct agreement between the parties concerned.

Failing such direct agreement in regard to any special material which, in application of Annex IV, has been included in the lists delivered to Germany, the French Government may claim delivery through the Reparation Commission, in accordance with the procedure of Annex IV.

ARTICLE VI

A hereby declares himself acquainted with the provisions of the schedule of payments notified to the German Government by the Reparation Commission on 5th May 1921, and agrees, on receipt of a notification from F, to consider himself as duly paid out of the sums due during the corresponding year by the entry of any sum whatsoever to the credit of Germany and to the debit of France in the accounts of the Reparation Commission. In this case, the simple notification by the Reparation Commission to the German Government of a credit entry to Germany of the sum in question shall be equivalent to a discharge of F in regard to A for this amount.

ARTICLE VII

Settlement for the deliveries by F to A shall be effected under the following conditions:

1. F shall credit A with a sum equal to 35 per cent. of the value of the deliveries made in the course of a month in the manner prescribed in Article VI above, and subject to the provisions of paragraphs 3 and 4 of the present article and of Article XI hereinafter.³

2. If, in the course of any year whatsoever beginning with 1st May 1922, the value of the deliveries made by A to F under the terms of the present contract is less than one milliard gold marks, the percentage prescribed in

³ The following additional paragraph should be inserted here. (Letter from M. Loucheur to Herr Rathenau, 7th October 1921, at Wiesbaden):

"During the first five years as from the coming into force of the present contract, F shall credit A with the total value of the first deliveries made in the course of any year whatsoever in the manner prescribed in Article VI up to a total amount of 32 million gold marks."

paragraph 1 above of the credits to be given by F to A, shall be increased to 45 per cent.

3. The cumulative total of the annual credits thus given and of the annual credits given by the French Government against the deliveries received by France under Annexes III, V and VI to Part VIII of the Treaty of Versailles, shall not exceed one milliard gold marks.

If the value of the deliveries received by France in execution of Annexes III, V and VI of the treaty reaches or exceeds one milliard gold marks during any one year between 1st May 1921 and 1st May 1926, no credit shall be given in the corresponding year by F to A in respect of the deliveries made by the latter.

4. The sums due from F shall bear simple interest at the rate of 5 per cent. per annum as from the beginning of the month following that of the delivery; the part of these sums for which the settlement prescribed by paragraphs 1 and 2 above has not been effected shall be repayable by F under the conditions determined in Articles VIII to XI hereinafter, as from 1st May 1926, and at the rate of 10 per cent. per annum plus the simple interest accrued each year.

5. The deliveries which, notwithstanding the provisions of Article I, may have been effected between 1st October 1921 and 1st May 1926, over and above a total value of seven milliard gold marks shall, within a period of three months, as from 1st May 1926, be paid to A in the manner prescribed in Article VI above.

ARTICLE VIII

The aggregate value of the deliveries in kind and of the credits given by F to A in the manner prescribed in Article VI shall not exceed one milliard gold marks per annum.

The reserve inserted in Article XI applies to the above paragraph.

ARTICLE IX

On 1st May 1936, a computation will be made of the sums remaining due to A, for deliveries in kind made since 1st October 1921, for which no credit has been given; the balance will be paid to A with compound interest at 5 per cent.⁴ in four half-yearly payments, on 30th June and 31st December 1936, and 30th June and 31st December 1937, subject to the provisions of Article XI below.

ARTICLE X

A's debit account, as well as his credit account, will bear 5 per cent. simple interest per annum.

In case F has effected settlements in excess of the limits fixed in Articles

⁴ Extract from the Minutes of Wiesbaden, 7th October (Par. 5):

It was agreed that the 5 per cent. compound interest on the sums still owing to A on 1st May 1936, for deliveries in kind made since 1st October 1921, for which he had received no credit, would be computed as from the said date to 1st May 1936.

VII, VIII, and XI, the surplus will be deducted from the settlements to be effected by F to A in the course of the following year.

In case the value to be taken into account under the terms of the present contract for the deliveries made during any year whatsoever between 1st May 1926 and 1st May 1936, together with the yearly repayments to be made during the same period, amounts to more than one milliard gold marks, the surplus shall be carried forward successively to each of the following years, and settled in the course of these years in so far as the value to be taken into account for the deliveries made during one of these years, together with the yearly repayment due, is less than one milliard.

The above provisions are, however, subject to the reservation made in Article XI below.

ARTICLE XI

The settlements to be effected each year by F to A, in application of the present contract shall never exceed an amount such that, by adding this amount to the settlements effected during the same year by the French Government against deliveries made to France under Annexes III, V and VI to Part VIII of the Treaty of Versailles, a total is obtained higher than France's share (52 per cent.) in the payments made by Germany or on her behalf during the said year, in payment of her debt of that year, as defined in Article 4 of the schedule of payments.

Beginning with 1st May 1936, A shall be entitled not to make the further deliveries asked from him by F, whenever the execution of these deliveries would bring the obligations of F to give credit to A to an amount exceeding, for one year, the limit fixed by the present article.

ARTICLE XII

F may at any time pay off his debts before maturity.

DECISION OF THE REPARATION COMMISSION AFTER CONSIDERING THE FRANCO-GERMAN AGREEMENT OF 6TH OCTOBER 1921.¹

Paris, October 20, 1921

The French Government, having submitted to the Reparation Commission in accordance with paragraph 3 of the memorandum thereto attached the agreement between the representatives of the French and German Governments signed at Wiesbaden on the 6th instant, the commission has come to the following decision:

- (1) It entirely approves the general principles underlying the agreement whereby special arrangements are proposed for enabling Germany to liquidate the largest possible proportion of her reparation obligations in the form of goods and services, more

¹ British Parliamentary Papers, 1921, (Cmd. 1547).

especially with a view to the speedier restoration of the devastated regions.

- (2) At the same time, it considers that the agreement involves certain departures from the provisions of Part VIII of the Treaty of Versailles, notably Article 237, paragraphs 12 and 19 of Annex II and paragraph 5 of Annex IV.
- (3) As the commission has no power to authorize such departures, it decides to refer the question to the governments represented on the commission, with a copy of the memorandum and its annex, recommending a favorable examination of them.²
- (4) The commission recommends that reasonable facilities for deferred payment in respect of the exceptional volume which, if the arrangements are successful, the deliveries in kind to France are likely to assume during the next few years, should be accorded to France, subject to any safeguards which the Allied Governments may regard as necessary to protect their respective interests.

DECISION OF THE REPARATION COMMISSION¹

Paris, Jan. 13, 1922

The Reparation Commission decides to accord the German Government a provisional delay for the payments falling due on January 15 and February 15, 1922, in so far as these amounts are not converted by payments in specie already made or to be made and by deliveries in kind or the product of the "Recovery Act," already received or to be received by the dates fixed above, upon the following conditions:

(a) During the period of provisional delay the German Government shall pay in approved foreign securities (*devises*) the sum of 31 million gold marks every ten days, the first payment to be made on January 18, 1922.

(b) The German Government shall, within fifteen days, submit to the commission a project of reforms or guaranties suitable for its budget and its fiduciary circulation, as well as a complete program for payments in specie and deliveries in kind for the year 1922.

(c) The period of provisional delay shall end as soon as the commission or the Allied Governments shall have reached a decision upon the project and program indicated in paragraph (b), except as otherwise provided for in this decision.

The difference between the amount actually paid during the period of provisional delay and the sums due during the same period in virtue of the state of the payments, shall become due and payable within the fifteen days

² See Allied Financial Agreement, Mar. 11, 1922, Art. 4, *infra* p. 232.

¹ Translated from *Le Temps*, January 15, 1922.

following the date of the decision of the Reparations Commission or of the Allied Governments, as the case might be.

When the project and program mentioned above shall have been received by the Reparation Commission, they shall be transmitted immediately by the commission to the Allied Governments, which shall thus be in a position either to consider the question themselves or else to return it to the Reparation Commission for solution.

FINANCIAL AGREEMENT BETWEEN BELGIUM, FRANCE, GREAT BRITAIN, ITALY
AND JAPAN, TOGETHER WITH A COVERING NOTE BY THE FINANCE
MINISTERS¹

Signed at Paris, March 11, 1922

Meeting of Allied Finance Ministers in Paris in March, 1922

I. COVERING NOTE BY FINANCE MINISTERS

In the agreement, of which the text is attached, the Finance Ministers have undertaken a settlement of the questions which were outstanding and arrived at a complete understanding on the various questions raised in dealing with distribution of the German payments.

In the course of their discussions the Finance Ministers have given attention to the general question of reparation. They have reached the conclusion that in accordance with the Treaty of Versailles and the declarations of the governments, generally speaking this question belongs exclusively to the province of the Reparation Commission, but they were unanimous in recognizing that it would be essential in the interests of the governments that they should impress upon their delegates on the Reparation Commission the necessity of arriving as soon as possible at concrete solutions. Such solutions should aim at securing the payment of reparation, both by restoring order to German finance under effective supervision and by enabling Germany to pay off part of the capital of her debt by the issue of foreign loans to be secured on the produce of her customs or such other of the resources of the German Empire as the Reparation Commission might judge suitable.

The Ministers further discussed the problems arising out of the war debts due by the European Allies to each other.

(Signed) G. THEUNIS.
CH. DE LASTEYRIE.
R. S. HORNE.
C. PEANO.

II. AGREEMENT

The Governments of Belgium, France, Great Britain, Italy and Japan, respectively represented by the undersigned, have agreed as follows:

¹ British Parliamentary Papers, 1922, (Cmd. 1616).

ARTICLE 1

1. The payments to be made by Germany on account of the costs of the armies of occupation of Belgium, Great Britain and France, exclusive of the cost under Articles 8 to 12 of the arrangement of the 28th June, 1919,² shall as from the 1st May, 1922, be fixed at the following annual amounts:—

Belgian francs.....	102,000,000
Pounds sterling.....	2,000,000
French francs.....	460,000,000

2. The above figures are fixed on the basis of the following effective strengths:

Belgian Army.....	19,300
British Army.....	15,000
French Army.....	90,400

They have been calculated on the basis of a total amount of 220,000,000 gold marks. Out of this amount a sum of 10,950,000 gold marks has in the first place been allocated in respect of the British Army, representing a special allowance of 2 gold marks per man per day, to cover its higher cost. The remainder, or 209,050,000 gold marks, has been divided in proportion to the number of effectives in question. The conversion of the sums in gold marks so arrived at into national currencies has been made at the mean rates of exchange for December, 1921.

3. The sums definitely fixed above as the amounts to be paid by Germany for the year commencing on the 1st May, 1922, may before the 1st May in any subsequent year be revised for the year commencing on that date in accordance with the following principles:

- (1) The total of these sums shall be increased if the total effective strength of the three armies is increased in consequence of and by a number equal to the reduction of the American Army; the increase shall be proportional to the increase of effectives regard being had, in so far as it may be necessary, to the special allowance of 2 gold marks per man per day for the British Army.
- (2) The total of these sums shall be diminished if the total strength of the three armies is reduced. The diminution shall be proportional to the reduction in strength, regard being had, in so far as it may be necessary, to the special allowance of 2 gold marks per man per day for the British Army. If the British strength is reduced without affecting the total strength, the total shall be reduced by an amount equal to so much of the whole sum produced by the special allowance of 2 gold marks per man per day for the British Army as corresponds to the number of effectives by which that army is reduced.

² Printed in SUPPLEMENT to this JOURNAL, October, 1919 (Vol. 13) p. 404.

- But no reduction shall be made so long as the cost of the three armies, calculated on the basis of the French cost per head, with the special allowance of 2 gold marks per man per day in the case of the British Army, is not less than the total of the sums set out in paragraph 1.

- (3) If the cost in any one year of the three armies together, calculated on the basis of the French cost per head, with a supplement of 2 gold marks per man per day in the case of the British Army, is less than the total amount fixed for that year, the difference shall accrue to the benefit of Germany in the shape of a reduction of the amount payable for the following year.

4. Germany will, subject to the provisions of Article 2 below, pay the sums fixed under paragraph 1 of this article to the Belgian, British and French Governments respectively in twelve monthly instalments. The Belgian, British and French Governments will, at the end of each year commencing on the 1st May make the adjustments necessary to ensure that the sum finally allocated to each of them for that year shall correspond to the average effective strength maintained by each of them during the year.

• 5. The governments concerned will each year, and in the first instance for the year commencing the 1st May, 1922, decide upon the total of the sums in paper marks required to cover the cost of the services to be furnished by Germany under Articles 8-12 of the arrangement of Versailles of the 28th June, 1919, and upon the method by which this total sum shall be divided among the three armies.

6. In the event of special military measures of a precautionary or coercive character being decided upon by the Allied Powers the resulting expenses shall be claimed from Germany by the application of Article 249 of the Treaty of Versailles in addition to the amounts above mentioned.

ARTICLE 2

The governments represented by the undersigned confirm the mandate which they have given to the Reparation Commission to recover the costs of the armies of occupation, and to draw up a separate account of such costs. They further request the Reparation Commission to take into consideration the obligations incumbent upon Germany, both under the schedule of payments and under Article 249 of the Treaty of Versailles when, in reply to the German note of 28th January, 1922, the commission determines the total payments to be made by Germany during the year 1922 in cash and in kind.

The governments further request the commission to debit each of the Powers concerned on army of occupation account for the period from 1st May, 1921, to 31st December, 1922, with the value of the deliveries in kind received by it during the same period up to the amount due on that account, including therein the proceeds of the German Reparation (Recovery) Act ³

³ Printed herein, page 210.

and of all similar legislation passed in accordance with the decision of the Allied Governments on 3rd March, 1921.⁴

ARTICLE 3

Of the total amount of deliveries in kind which Germany will be called upon by the Reparation Commission to make to the Allied Powers during 1922, 65 per cent. will be allotted to France and 35 per cent. allotted to the other Allied Powers.

For the purposes of this distribution the proceeds of the British Reparation (Recovery) Act, and of any similar legislation passed by other Allied Powers in pursuance of the decision of the Allied Governments of the 3rd March, 1921, will be treated as a delivery in kind.

The 35 per cent. share of the deliveries in kind to be made by Germany during 1922 will, after deducting the share of Great Britain (*viz.*, 24 per cent. of the amount to be allotted to Powers other than France), be divided between the other Powers concerned in the proportions fixed by the Spa agreement,⁵ subject to any adjustments which may be required if one or more of the Powers concerned takes less than the amount of deliveries in kind to which it is entitled.

Out of the above-mentioned proportion of 35 per cent. there shall be allotted to Italy a sum of 240 million gold marks made up of the amounts of which the other Allies cannot take advantage.

The governments concerned will prohibit the re-export of deliveries in kind received under the provisions of this article.

ARTICLE 4

The governments represented by the undersigned consent to the operation for a period of three years of those provisions of the Wiesbaden agreement of the 6th October, 1921,⁶ to which their agreement was deemed to be necessary by the Reparation Commission,⁷ and in particular of the provisions respecting the passing of a credit to Germany and a debit against France for the value of deliveries in kind effected in execution of the agreement, subject to the following conditions:

- (1) The amounts of the deferred debits shall not exceed—

	350 million gold marks in 1922,
750	" " " 1923,
750	" " " 1924;

- (2) the amount standing deferred at the end of 1924 shall be liquidated by France, with interest as provided for in the agreement, in ten equal annual instalments beginning on the 1st May, 1926, by set-off against sums due to France in each year out of reparation

⁴ Printed herein, page 209.

⁵ Printed herein, page 197.

⁶ Printed herein, page 220.

⁷ See decision of Commission, Oct. 20, 1921, *supra*, p. 227.

receipts, and unless the operation of the agreement is continued for a longer period by agreement among the Allies, France shall, in no year subsequent to 1926, receive, whether in cash or deliveries, sums which, when added to the said instalments, would result in France receiving in that year more than her proportionate share, as determined by inter-Allied agreements, of the total payments by Germany in that year, including the instalments due by France.

ARTICLE 5

The governments signatory to this agreement consent to the putting into operation, subject to the approval of the Reparation Commission, of agreements for deliveries in kind similar to the Wiesbaden Agreement of 6th October, 1921, which may be concluded by any Power participating in reparation, provided that the value of the deliveries in kind effected in virtue of Annexes II to VI to Part VIII of the Treaty of Versailles and under such agreements to be received by Powers other than France (including the proceeds of the British Reparation Recovery Act and of any similar legislation passed by other Allied Powers in pursuance of the decision of the Allied Governments of the 3rd March, 1921) shall not exceed in 1922 35 per cent. of the total amount of deliveries in kind which Germany will be called upon by the Reparation Commission to place in 1922 at the disposal of the Allied Powers.

ARTICLE 6

Each of the Powers having a credit due to it on account of reparation shall retain for its own use, up to the limit of the share allocated to that Power, without any obligation to make payments in cash in respect thereof at any time, the value of any deliveries in kind received up to the 31st December, 1922, including the proceeds of the British Reparation (Recovery) Act and of any similar legislation passed by the other Allied Powers in pursuance of the decision of the Allied Governments of the 3rd March, 1921.

But subject to the provisions of paragraphs 4 and 5 above, and of any inter-Allied agreement already entered into, the receipts of any Allied Power in respect of reparation in the period to 31st December, 1922, together with interest thereon at the rate of 5 per cent. per annum as from the 1st January, 1923, shall be taken into account in determining the proportions of reparation receipts due to each Power in 1923 and subsequent years.

ARTICLE 7

The governments signatory to this agreement take note of the agreement reached on the 7th October, 1921, between France and Germany in regard to the price of coal delivered or to be delivered by Germany to France under Annex V to Part VIII of the Treaty of Versailles, and agree that Germany

shall be credited and France debited in respect of such coal in accordance with the provisions of paragraph 6 (a) of the above-mentioned annex.

The governments signatory to this agreement will support the efforts of Italy to obtain the benefit of the same conditions and in any case Italy will be debited in the account drawn up under Article 235 in respect of the coal received by Italy before the 1st May, 1921, in accordance with the provisions of paragraph 6 (a) of the above-mentioned annex, any difference between the debit thus fixed and the credit to be given to Germany being adjusted if necessary in accordance with the provisions of Article 12 of this agreement.

ARTICLE 8

Out of the total amount of the cash payments made by Germany in 1921, under Article 5 of the schedule of payments, the following payments shall be made in accordance with the provisions of Article 251 of the Treaty of Versailles and the inter-Allied agreement of 16th June, 1919, in regard to Belgian priority:

- (a) 500 million gold marks shall be allocated to Great Britain to be applied towards payment of the cost of the British army of occupation before the 1st May, 1921;
- (b) 140 million gold marks shall be allocated to France to be applied towards payment of the cost of the French army of occupation before the 1st May, 1921.

The remainder of the above-mentioned cash payments, as well as cash payments made after 1921, will be allocated to Belgium on account of her priority until such priority is satisfied, with the exception of the sum of 172 million Italian lire at present deposited with the Bank of Italy, which shall be allocated to Italy on reparation account.

Any balance remaining due to Great Britain and France as on 1st May, 1921, will be repaid as from the date of the present agreement and until the balance is liquidated by equal instalments drawn from the following sources:

- (a) Cash receipts accruing to the Reparation Commission after 1st May, 1921, other than the annuities laid down by the schedule of payments;
- (b) After the satisfaction of the Belgian priority, the first cash receipts accruing to the Reparation Commission whether in respect of the annuities laid down in the schedule of payments or otherwise.

No interest shall be credited or debited in respect of the adjustments under this article.

ARTICLE 9

In respect of the value of the Saar Mines the sum of 300,000,000 gold marks shall be debited to France in distribution account in the same way as a delivery in kind made in 1922, and the provisions of Article 6 of this agree-

ment shall apply to this debit. Should the value of the Saar Mines as assessed by the Reparation Commission prove to be higher than 300,000,000 gold marks, the excess will be liquidated by the distribution among the Powers participating in reparation of "C" bonds to the value of such excess taken from France's share in the total series of "C" bonds.

ARTICLE 10

The United States, Great Britain and France will receive on account of the special credit provided for in the last paragraph of Article 232 of the Treaty of Versailles a block of bonds of nominal value equal to the amount of this credit as determined by the Reparation Commission. This block of bonds will be drawn from the general total of the bonds delivered by Germany under the provisions of the schedule of payments. The amounts of the bonds of Series "A", "B" and "C" respectively in this block will be determined in accordance with the proportion which each of these series bears to the sum of the three series.

This clause in so far as it relates to the United States of America is subject to the consent of the Government of the United States of America.

ARTICLE 11

The Reparation Commission will fix the reparation debt of Austria and Hungary in accordance with Article 179 of the Treaty of St. Germain and with Article 163 of the Treaty of Trianon.

Whatever total may be fixed by the Reparation Commission, the amount to be divided among the Powers participating in reparation shall be not less than the total of the value of the properties transferred by Austria and Hungary under the Treaties of St. Germain and Trianon plus 6 milliards of gold marks and the Bulgarian debt fixed by Article 121 of the Treaty of Neuilly.

As soon as the bonds of Series "C" have been created, from the total amount shall be taken bonds to a nominal value equal to the total debt arrived at above and distributed among the Powers participating in reparation in proportion to the percentages fixed by Article 2 of the financial arrangement of Spa.

If at the time when the bonds of Series "C" are created the Reparation Commission has not taken the decision provided for in the first paragraph of this article, it shall nevertheless distribute (in proportion to the percentages fixed by Article 2 of the financial arrangement of Spa) a block of "C" bonds drawn from the total series for a total nominal amount of six milliards of gold marks plus the amount of the Bulgarian debt.

The Powers receiving payments in cash or in kind from Austria, Hungary and Bulgaria shall return to the Reparation Commission for cancellation Series "C" bonds of the nominal value of these payments.

The method of payment for State properties situated in the territories ceded by Austria and Hungary and for the contribution to the liberation

expenses provided for under the agreement of the 10th September as modified by the agreement of the 8th December, 1919⁸, shall be determined in accordance with the principles set out in the annex.

The Powers concerned which are not parties to the present agreement shall have the opportunity to adhere to the provisions of the annex provided for by this article.

ARTICLE 12

With a view to adjusting any difference which may arise between the amounts credited to Germany and the amounts debited to an Allied Power as a result of any inter-Allied agreement in respect of deliveries in kind, brought to account under Article 235, the distribution of Series "C" bonds will be effected in the following manner.

It will be assumed that the number of bonds available for distribution is the number arrived at after crediting Germany with the amounts debited to the Allied Powers in accordance with any such inter-Allied agreement.

Each Power will receive out of this assumed amount the share to which it is entitled under the Spa financial agreement less the difference, if any, between the value credited to Germany in respect of deliveries to that Power and the value debited in respect of the same deliveries in accordance with any inter-Allied agreement.

In accordance with the Spa financial arrangement Belgium will not be debited with any sum on account of the ships allotted or transferred to her, and the above provision will not apply to Belgium in respect of such ships.

ARTICLE 13

The present agreement is made subject to any rights of the United States of America.

ARTICLE 14

The Powers signatory to the present agreement will endeavor to secure the early adherence to this agreement of the other Allied and Associated Powers concerned.

For the Government of Belgium:	G. THEUNIS.
For the Government of France:	CH. DE LASTEYRIE.
For the Government of Gt. Britain:	R. S. HORNE.
For the Government of Italy:	C. PEANO.
For the Government of Japan:	(to be signed later).

Paris, 11th March, 1922.

⁸ Printed in SUPPLEMENT to this JOURNAL, October, 1920 (Vol. 14), pp. 344-354.

ANNEX

AUSTRIAN REPARATION

Agreement in Regard to the Protocol of 8th September, 1919 .

The Governments of Belgium, France, Great Britain, Italy and Japan recognizing that it is desirable, in view of the postponement of their claims for reparation against Austria under the Treaty of St. Germain, that a new provision in the place of the Liberation Bonds should be made for the discharge of the obligation of Italy, the Serb-Croat-Slovene State and Roumania in respect of the expenses of liberating territories of the former Austro-Hungarian Monarchy transferred to them and also for the payment of the value of the property and possessions of that monarchy transferred to them. Have agreed as follows:

1. Bonds of Series "C" to be created and delivered under the schedule of payments notified to Germany under the Treaty of Versailles by the Reparation Commission on the 5th May, 1921,⁹ to an amount equal to the amounts already credited, or which should have been credited, to Austria under the Treaty of St. Germain in respect of property and possessions of the former Austro-Hungarian Monarchy transferred and of deliveries already made by Austria or otherwise, shall be distributed between the Powers entitled to reparation in the percentages in which the aggregate amount received under the head of reparation from Austria is to be divided according to the provisions of Article 2 (a) and (b) of the agreement signed at Spa on the 16th July, 1920, and any agreements supplementary to the agreement.

2. Italy, the Serb-Croat-Slovene State and Roumania shall discharge their respective obligations for the payment of the value of property and possessions of the former Austro-Hungarian Monarchy transferred to them under the Treaty of St. Germain by surrendering to the Reparation Commission for cancellation bonds of the whole Series "C", above mentioned, part of the said bonds to which they respectively will be entitled, to an amount equal in capital value to the capital value of the property and possessions of the Austro-Hungarian Monarchy so transferred to them respectively. From the value of the property and possessions transferred to Italy shall be deducted the total cost of the Italian armies of occupation in Austrian territories.

3. Italy, the Serb-Croat-Slovene State and Roumania respectively shall discharge their obligations arising under the agreements signed at St. Germain on the 10th September, 1919, and modified at Paris on the 8th December, 1919, for the payment of the expenses of liberating territories of the former Austro-Hungarian Monarchy transferred to them, by handing over to the Reparation Commission bonds of the said Series "C" part of the said bonds to which they respectively will be entitled, to an amount equal in capital value to the amount of their respective obligations, less the percent-

⁹ Printed herein, page 215.

ages in which those states respectively share according to the repartition of the said sums established by Art. 2 (a) and (b) of the agreement signed at Spa on the 16th July, 1920.

4. The Reparation Commission shall divide the Series "C" bonds handed over under the last preceding clause among the Powers, other than the Powers by whom the bonds are handed over, entitled to share in reparation payments in the same proportions as the interest of those Powers in bonds to be distributed under clause 1 of this agreement.

5. Nothing in this agreement shall affect the distribution of receipts from Austria, Hungary or Bulgaria on account of reparation or any adjustments to be made of any bonds of the said Series "C" in consequence of such receipts.

If one of the Powers to which territories of Austria and Hungary have been ceded has not available Series "C" bonds in sufficient quantity to carry out the adjustments provided for above the value of the possessions which have been transferred to such Power and its contribution to the costs of liberation shall be discharged, in so far as they cannot be satisfied by the delivery of Series "C" bonds, in accordance with the provisions of the agreement of 10th September, 1919, as modified by the agreement of 8th December, 1919.

6. This agreement cancels all previous arrangements between the high contracting parties whether contained in the said agreements of September and December, 1919, or the agreement of Spa of the 16th July, 1920, or otherwise, in so far as such arrangements may be in conflict with the provisions of this agreement.

The provisions of Articles 2, 3 and 4 of this agreement shall not come into force until Czecho-Slovakia and Poland shall have discharged their respective obligations under the said agreements of September 10th and December 8th, 1919, regard being had in so far as Poland is concerned to Article 10 of the Spa agreement.

DECISION OF THE REPARATION COMMISSION ON THE SUBJECT OF THE PAYMENTS TO BE MADE BY GERMANY IN 1922¹

(1) *The Reparation Commission to the German Government.*

Reparation Commission,
Paris, March 21, 1922.

The Reparation Commission has the honor to notify to the German Government the attached decision which it has reached to-day.

(Signed) DUBOIS.
J. BRADBURY.
D'AMELIO.
DELACROIX.

¹ British Parliamentary Papers, 1922 (Cmd. 1634).

(Translated from the original text in French)

March 21, 1922

The Reparation Commission,

Having had before it the request for postponement contained in the letter of the 14th December, 1921, from the German Chancellor, as well as the documents submitted on the 28th January, 1922, by the German Government in support of this request, in execution of the decision adopted by the Reparation Commission on the 13th January, 1922, and after giving the German Government a just opportunity of being heard,

Acting in virtue of the powers conferred upon it by Articles 234, 236, 240, 243 and 251, and by paragraphs 12, 19 and 19 *bis* of Annex II to Part VIII of the Treaty of Versailles, as well as of the powers delegated to it by the Allied Governments for the execution in their name of Article 249 of the said treaty,

Considering that the financial situation in which the German Government had allowed itself to become involved makes it impossible for it to discharge in their entirety Germany's obligations for 1922 as set forth in the schedule of payments of the 5th May, 1921, on the one hand, and in Article 249 of the Treaty of Versailles on the other, and at the same time to rehabilitate the finances of the commonwealth sufficiently to ensure the regular discharge of its obligations in subsequent years,

Decides that:

I

Germany shall pay, in 1922, in respect of the schedule of payments of the 5th May, 1921, as well as in respect of Article 249 of the Treaty of Versailles (exclusive of the obligations imposed upon her by Articles 8 to 12 of the arrangement of the 28th June, 1919²):

(a) 720 million gold marks in cash.

The above sum includes the sum of 281,948,920 marks 49 pfennigs gold, representing the cash payments already made by Germany towards the instalments required by the Reparation Commission in 1922.

The balance, that is, 438,051,079 marks 51 pfennigs gold shall be paid in the following instalments:—

18,051,079 marks 51 pfennigs gold on the 15th April, 1922.

50,000,000 gold marks on the 15th May, 1922.

50,000,000 " " " " 15th June, 1922.

50,000,000 " " " " 15th July, 1922.

50,000,000 " " " " 15th August, 1922.

50,000,000 " " " " 15th September, 1922.

50,000,000 " " " " 15th October, 1922.

60,000,000 " " " " 15th November, 1922.

60,000,000 " " " " 15th December, 1922.

² Printed in SUPPLEMENT to this JOURNAL, October, 1919 (Vol. 13), p. 404.

Any sums paid in cash by Germany to the Reparation Commission up to the 15th December, 1922, inclusive, and any other sums payable in cash to the Reparation Commission which, under the terms of decisions already adopted or to be adopted by the latter, fall to be credited against the annuity liability of Germany for 1922 as laid down by Article 4 of the schedule of payments, shall be deemed to be cash paid towards the above instalments.

(b) In kind: the equivalent in goods of 1,450 million gold marks, of which 950 millions shall be delivered to France and 500 millions to the other Allies, in so far as France or the other Allied Powers, or their respective nationals, may call for such deliveries under the procedure of the treaty or any procedure approved by the Reparation Commission.

The proceeds of the British "Reparation (Recovery) Act"³ and of any similar legislation enacted or to be enacted by the other Allied Governments in execution of the decision of the Allied Governments of the 3rd March, 1921, shall be deemed to be payment in kind.

If the Reparation Commission finds, in the course of the year 1922, that deliveries in kind called for by France or her nationals or by any other Power entitled to reparation or its nationals in accordance with the procedure laid down by the treaty or in virtue of a procedure approved by the Reparation Commission and within the limits of the figures above indicated have not been effected by reason of obstruction on the part of the German Government or on the part of its organizations, or by reason of a breach in the procedure of the treaty, or in a procedure approved by the Reparation Commission, additional equivalent cash payments shall be exacted from Germany at the end of 1922 in replacement of the deliveries not effected.

II

The payments in kind effected by Germany to a Power which is a creditor of Germany in respect of the costs of an army of occupation between the 1st May, 1921, and the 31st December, 1922, shall first be charged, to the due amount, with the costs of the armies of occupation during the same period, and only the balance shall be reckoned together with the cash payments as available towards meeting the reparation annuity as laid down by Article 4 of the schedule of payments of the 5th May, 1921.

III

The difference between the sums due in virtue of the schedule of payments and in respect of the armies of occupation and the sums actually paid in 1921 and 1922 shall, together with interest at 5 per cent. per annum, remain an obligation upon Germany to be discharged in addition to the annuities under the schedule of payments as soon as the Reparation Commission shall consider this within her capacity.

³ Printed herein, p. 210.

IV

The postponement hereby granted is in the first instance provisional only.

The commission will, on the 31st May next, examine the progress made by the German Government towards satisfying the conditions laid down in the Reparation Commission's letter of even date and will thereupon confirm or cancel this provisional postponement.

If it is cancelled, the amounts provisionally postponed under the decision of the 13th January, 1922, and under this decision, will become due and shall be paid within fourteen days of the date of cancellation, failing which paragraph 17, Annex II to Part VIII of the treaty shall come into force.

If, however, this provisional postponement is confirmed, and if the Reparation Commission is subsequently satisfied that Germany has failed to carry out the conditions laid down, the postponement will be cancelled, and the schedule of payments, as communicated to Germany on the 5th May, 1921, will again come into operation as from the date of cancellation.

(2) *The Reparation Commission to the Chancellor of the Reich*

(Translated from the original text in French)

March 21, 1922

The Reparation Commission, in notifying to the German Government their decision No. 1841 in respect of the payments to be made by Germany during 1922, makes the following observations in regard to the Chancellor's letter of the 28th January, 1922.

The commission notes the declarations made by the Chancellor in regard to the suppression of all subsidies on food, and to the increase of the postal and railway tariffs with a view to balancing the expenditure and receipts of State undertakings. At the same time, even if it could be supposed, as would not appear to be the case, that plans had been laid for the immediate and complete realization of such a programme, it is far from being adequate either to the German obligation or to the German capacity. The Reparation Commission most clearly warns the German Government that it expects a much more radical reform of the finances of Germany and a final abandonment of the mistaken policy hitherto followed.

The ordinary administrative budget of the Reich shows a balance of 16½ milliard paper marks after providing for an expenditure of 83 milliards. The German Government propose to apply this balance towards meeting the cost of reparation and other peace treaty charges. But, on the other hand, the extraordinary administrative budget shows a deficit of some 3 milliard marks, and the budget for the administration of public services a deficit of 9½ milliards.

The budget for peace treaty charges as submitted (after taking credit for 16½ milliards surplus transferred from the ordinary administrative budget), exhibits a deficit of no less than 171 milliard paper marks, making, with the

deficit on the extraordinary administrative budget and budget for administration of public services, a total deficit of 183½ milliards.

The deficit of 171 milliards on the peace treaty budget is, it is true, based, as regards the reparation liability, on the schedule of payments. The provisional postponement today accorded by the Reparation Commission in respect of the 1922 payments may be expected to reduce this deficit by approximately 45 milliards. On the other hand, the budget calculations are based on an exchange of 45 paper marks to 1 gold mark as against the current rate of 70. The net estimated deficit of 126 milliards will, therefore, be largely exceeded unless a substantial improvement in the value of the paper marks can be effected.

It is stated, indeed, that an internal compulsory loan is contemplated, but no project has been placed before the commission which can be regarded by them as in any way likely to afford the requisite guarantee that the treaty charges will be met.

The commission is of opinion that the treaty charges must be progressively and rapidly incorporated in the budget, in so far as Germany's revenues can cover them, and that German capital must make up the balance either by means of a loan or a direct levy.

The commission considers that as from 1922 onward the budget must cover a large part of the reduced payments prescribed by the decision referred to above; the balance as indicated above must be contributed by capital.

It is with the object of facilitating the task of the German Government in this respect that the commission has taken its decision. It must, however, be understood that the scheme of payments for 1922 therein laid down is provisional, and that the postponement provisionally granted can only be definitely maintained if Germany strictly observes the conditions imposed upon her.

These conditions are as follows:—

I. BUDGET OF THE REICH

(A) RESOURCES

Measures to be Adopted

(a) Each of the measures announced by the German Government's note of the 28th January, 1922, which, according to the note, are to come into force at fixed dates, shall be taken at the date in question; if this date has passed without the measure having been taken, it shall be taken within fifteen days of the present notification.

(b) The new taxes and charges contained in the programme of the 26th January, 1922, generally known in Germany as the "fiscal compromise," shall be voted and applied before the 30th April, 1922.

(c) The German Government must at once prepare and put into force such a scheme of increased taxation as will provide during the currency of

the Budgetary year 1922-23 a sum of at least 60 milliards paper marks in addition to the revenue contemplated in the Budget.

This scheme must have been adopted and be in force before the 31st May, 1922, and must secure the collection of not less than 40 milliards of additional revenue before the 1st December, 1922.

(d) In the opinion of the Commission, it is for the German Government to choose the sources from which new revenue is to come. Nevertheless, the Commission impresses upon the German Government the necessity of adopting a scheme which will make as far as possible a new and complicated assessment of the resources of individuals. In this connection, the Reparation Commission particularly stresses the German Government to consider the possibility of some arrangement under which the rates of taxation would be automatically increased in proportion either to any further increases in the debt of the German Government to the Reichsbank or to the diminution of the internal purchasing power of the mark.

Control

(a) All legislative or administrative measures adopted in execution of the above provisions shall be immediately communicated by the German Government to the Reparation Commission.

(b) The measures for the application of German legislation determining taxes and tariffs as it may be established after carrying out the program set forth above shall be discussed between the delegates of the German Government and those of the Reparation Commission. The latter through the Committee of Guarantees exercise at each stage a sufficiently thorough control to enable it at all time to satisfy itself as to the execution of this legislation, and more especially as to the work of assessing and collecting the taxes, and to detect any defects therein. If occasion arises, the Commission will request Germany to take the measures necessary to remedy the defects detected and will take action in case Germany does not, within a reasonable time, adopt measures which the Commission considers to be sufficient.

(B) REDUCTION OF EXPENDITURE

Measures to be Adopted

The German Government shall carry out and submit to the Reparation Commission within one month of the present notification a revision of the expenditure entered in the draft budget for 1922, which it submitted as an appendix to its note of the 28th January, 1922.

A serious effort, for which only preliminary preparations are made in the scheme enclosed with the communication of the 28th January, may and must be made towards the reduction of expenditure on the public services, the suppression of subventions and subsidies and of expenditure on public works not urgently required, sumptuary expenses, of the share in the expenses of various administrative and other organizations, etc.

The expenditure shall in no case exceed, either for the total budget or for any chapter thereof, the sums entered in the budget of expenditure thus revised, save in exceptional cases and after the corresponding credits have been duly voted; in such cases the Reparation Commission shall receive immediate notification.

The German Government shall under no circumstances transfer to local budgets any service or category of expenditure not included in the budget of the Reich, under the terms of the draft budget of 1922, enclosed with the note of the 28th January, 1922.

Control

The German Government shall draw up in agreement with the Reparation Commission, a scheme for the control of the expenditure provided for in the budget, in such a way as to prevent the credits from being exceeded and so as to show clearly the actual use of the funds are put. The Committee of Guarantees will check the functioning of this control.

II. LOANS AND LEVIES ON CAPITAL

(a) Internal Loans

The German Government shall, before the 30th April, 1922, prepare a scheme for the issue of internal loans other than treasury bills discounted by the Reichsbank and for an amount sufficient to cover the budget deficit. The budget can be balanced by means of the receipts from taxes.

(b) Foreign Loans

The important question of loans to be contracted by Germany in order to redeem a portion of her capital reparation debt will form the subject of a separate communication.

If a portion of Germany's debt cannot be mobilized by such loans within a reasonable period, the German Government shall, in cooperation with the Reparation Commission, examine the measures necessary to effect a capital payment by other means, in particular, by a levy on the actual movable and immovable property of Germany.

III. MORATION OF CAPITAL

The German Government shall submit to the Reparation Commission, before the 30th April, 1922, a scheme for preventing the abuses in the exportation of capital.

The special object of this scheme must be to render more effective the functioning of the organization created by the German Government for the collection of the foreign currencies obtained by exports and services of every kind, and in general to make sure that the value of exports is returned to Germany.

The Committee of Guarantees will draw up an agreement with the German Govern-

ment a scheme for the strengthening and development of the control which it at present exercises over exports and the collection of currencies to such extent as may be necessary to ensure the effective supervision of the execution of the measures referred to above.

Finally, the German Government shall take all possible steps to obtain the return to Germany of the capital already exported.

In view of the importance which the Reparation Commission attaches to the question of preventing the future migration of capital and of ensuring the return to Germany of the capital already exported, this question will be the subject of further examination separately by the Reparation Commission. The application by the German Government of the supplementary measures which the Reparation Commission may think it necessary to require is one of the conditions of the postponement.

IV. AUTONOMY OF THE REICHSBANK

The German Government shall adopt, in time for it to come into force before the 31st May, 1922, the legislation necessary to ensure, to the satisfaction of the Reparation Commission, the complete independence of the Reichsbank from the German Government.

V. STATISTICS

The German Government will, before the 31st May, 1922, resume the preparation and publication of its economic and financial statistics, in the same form and at the same intervals as before the war. It will also prepare at such intervals as may be determined by the Reparation Commission in each case, any new statistics or any new presentation of statistics in existence before the war as the commission may consider to be useful with a view to the execution of the treaty and in particular of the present provisions.

The German Government shall, in collaboration with the Committee of Guarantees, see that the statistics are presented under conditions which will facilitate the work of the Reparation Commission.

The German Government shall place at the disposal of the committee all documents and information necessary for the accomplishment of its task, and shall give it every facility for carrying out the investigations required of it.

VI. QUESTIONS IN ABEYANCE

The granting of the postponement is also subject to the settlement, to the satisfaction of the Reparation Commission, of certain questions now pending, which will form the subject of a further communication.

(Signed) DUBOIS.
DELACROIX.
BRADBURY.
D'AMELIO.

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